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No. 15

House of Representatives

The House met at 11 a.m.

Rev. Elmer N. Witt, retired Lutheran pastor, Tacoma, WA, offered the following prayer:

God of Sarah and Abraham, whose name is Wonderful, Counselor, You are our nourishing Mother, our compassionate Father. Before the awesome responsibilities of this day and this life, we turn to You for our bearings and Your blessings. We depend on Your commitment to humanity and to creation: to hear our pleadings, to right our wrongs, to heal our failures, to fill our needs, to empower our discussions, and our decisions with Your love. In the midst of increasing hopelessness, enable us to invest our lives in our words and Your strength in our deeds. We ask this for the well-being of all people, in this Nation among nations. Lead us to be the best we can be, Gracious God, in Your holy name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Washington [Mr. METCALF] come forward and lead the House in the Pledge of Allegiance?

Mr. METCALF led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE CONTRACT WITH AMERICA

(Mr. BOEHNER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, our Contract With America states that on the first day of a Republican House we will force Congress to live under the same laws as everyone else, that we will cut one-third of the committee staff, cut the congressional budget, and Mr. President, we have done that.

Mr. President, in the next 79 days, we will vote on the following 10 items: A balanced budget amendment, which begins today, and a line-item veto, a new crime bill to stop violent criminals, welfare reform to encourage work, not dependence, family reinforcement to crack down on deadbeat dads and to protect our children, tax cuts for families to lift government's burden from middle-income Americans, national security restoration to protect our freedoms, Senior Citizens' Equity Act to allow our seniors to work without government penalty, government regulation and unfunded mandate reforms, commonsense legal reforms to end frivolous lawsuits; and congressional term limits to make Congress a citizen legislature once again.

This, Mr. Speaker, is our Contract With America.

THE BALANCED BUDGET AMENDMENT, A CULMINATION OF LEGISLATION AND WORK BY DEMOCRATIC AS WELL AS REPUBLICAN MEMBERS

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, January 4, 1965, my first day in the Congress of the United States as a Democratic Member from Texas, I introduced a balanced budget amendment.

Mr. Speaker, few cared and less listened to me at that time. Through the

years, though, it has evolved into now that every freshman I run into asks me "Do you want to join my balanced budget amendment?"

The fact is, Mr. Speaker, that I want to show my colleagues what we have done. In the 12 years in which I was chairman of the Committee on Agriculture, we reduced the budget by \$65 billion. If every committee had done the same way, we would not be talking about balancing the budget today.

I want to thank my colleague, the gentleman from Texas, CHARLIE STENHOLM, because the years when I was serving as chairman, my time was limited and he took over the job and has done an excellent job. Today will be the culmination of my original legislation and his work through the years.

CONGRESS MUST SPEND TRANSPORTATION TRUST FUNDS TO BUILD INFRASTRUCTURE FOR AMERICA

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Mr. Speaker, our transportation needs in America are increasing. Passenger travel on our highways is growing at a rate of about 3 percent a year. By the year 2000, not too far away, we will experience a 30-percent increase in freight travel on our highways.

Also, Mr. Speaker, airline travel continues to grow. It has doubled in the past 12 years, from 250 million passengers a year to 540 million passengers this past year, and at a 4-percent growth rate in the next 17 years, we will experience 1 billion passengers traveling on commercial airlines every year.

We need to spend our highway and aviation trust funds to keep building infrastructure for America. These transportation trust funds are deficit

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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proof. They are the keys to building for the future, for getting ready for the 21st century. Our transportation trust funds are the foundation upon which a more productive and prosperous America can be built.

SOCIAL SECURITY EXEMPTION REDUCED TO SENSE-OF-CONGRESS RESOLUTION

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, I take the floor this morning to expose a caper which will be unfolding later today. A couple days ago I and several of my colleagues went to the Committee on Rules to ask to be made in order a balanced budget amendment which would exempt Social Security.

However, the Committee on Rules did not report favorably on that, and will deny us a very clean vote on exempting Social Security from the balanced budget amendment. What they did was produce a sense-of-Congress resolution, House Concurrent Resolution 17, which would exempt Social Security from any bills coming out of committees.

Know full well, this is the same mechanism, Mr. Speaker, that we declare National Pickle Week around here, so the Republicans are treating the trust fund for Social Security as if it were National Pickle Week. Know full well, it is becoming very clear to me and other people that the \$423 billion surplus that currently is in the trust fund will be on the table once this balanced budget amendment passes.

I support the balanced budget amendment, but let us not take that contract we have made with our seniors and destroy it because of this. The end result, Mr. Speaker, is that once this balanced budget amendment goes to the States, it will be defeated.

TRIBUTE TO THE SAN DIEGO CHARGERS

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, I cannot tell the Members the disdain I have for some of my colleagues for not supporting the San Diego Chargers. I rise today to pay tribute to the new champions of the American Football Conference, the San Diego Chargers. It is no secret that America's finest city has now America's finest football team.

Mr. Speaker, I want to salute president Alex Spanos and general manager Bobby Beathard, who have defied skeptics and produced a world class team through perseverance, hard work, and a little luck and a little stealth; to coach Bobby Ross and his team of coaches who are proven motivators; and, finally, to the players, the San Diego

team, a team who the Nation's experts picked to finish last.

I would say to the minority, Mr. Speaker, never ever not support your home team, but always take the point spread, and I would say to the gentlewoman from California [Ms. PELOSI], the Sees candy is going to taste great.

AMERICANS GUILTY UNTIL PROVEN INNOCENT IN DISPUTES WITH THE IRS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I say to my colleagues, tell me, Congress, when did the IRS waive the Bill of Rights? Check this out. In Colorado, the IRS said that David and Millie Evans owed them \$42,000 in back taxes. Three weeks later they said it was a mistake, it is \$100,000, so they settled it for \$22,000.

Evans sent a check. IRS stamped it, received it, and IRS called them and said, "We don't have your check prove it." They took them to court. They liened their house. They sold their business. They took their retirement account, all their bank accounts.

It went to court, the court said the Evanses were not guilty. The IRS appealed the decision, saying the judge wrongfully instructed the jury by saying the burden of proof was on the IRS. They said, "You must overturn this because the tax code is quite clear, the burden of proof is on the Evanses." The case was overturned.

□ 1110

Unbelievable, Congress. If there is a Contract With America, the American people do support much of your contract. They support this contract, the basic tenet of our Bill of Rights: you are innocent until proven guilty, and damn it, if it is good enough for the Son of Sam, it is good enough for mom and dad.

The SPEAKER pro tempore (Mr. DUNCAN). The Chair would advise the gentleman from Ohio that he should avoid profanity in his remarks.

TIME TO KEEP THE PROMISE OF A BALANCED BUDGET AMENDMENT

(Mr. FRELINGHUYSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Speaker, last night in response to President Clinton's State of the Union Message, New Jersey Governor Christine Todd Whitman did not need equal time to get her message across. That message was clear.

Governor Whitman did not just promise change, she delivered.

In New Jersey we cut spending and taxes. In New Jersey we have a balanced budget. In New Jersey we have kept our promises.

Just like New Jersey, Americans want a smaller smarter government. They want us to make the tough decisions here. The time for making excuses is over. The time to act on our promises is now. It has worked in New Jersey and it can work here in Washington.

TRUTH-IN-BUDGETING AMENDMENT

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, last night in the President's State of the Union Message he laid out his challenges for this Congress and for the American people to fulfill in the next year. The President asked that these challenges be met in an open, honest bipartisan debate on all of the issues like the balanced budget amendment.

As the President mentioned in his remarks, we Democrats support a balanced budget amendment, with a full and honest debate, not just between majority and minority Members but with the American people.

The American people want to know, as we begin this debate, how are we to balance this budget by the year 2002.

Today we will have an opportunity as we begin this debate to vote for a truth-in-budgeting amendment by the gentleman from Michigan [Mr. CONYERS]. I urge all of my colleagues to support the truth-in-budgeting amendment which will tell us how we get to a balanced budget by the year 2002.

How else can we assure the American people they will have a opportunity to participate in this debate, to know whether or not there will be cuts in Medicare, to know whether or not there will be cuts in Social Security? The only way to guarantee it is truth in budgeting.

Support the Conyers amendment.

PASS A BALANCED BUDGET AMENDMENT TO PROTECT OUR CHILDREN'S FUTURE

(Mr. NORWOOD asked and was given permission to address the House for 1 minute.)

Mr. NORWOOD. Mr. Speaker, I would like today to welcome some young people from my district from the Athens Academy in Georgia who are here in the gallery.

I rise today in support of the balanced budget amendment for young people just like these folks here and young people across the Nation, and my granddaughter.

The SPEAKER pro tempore. The gentleman should avoid references to those in the gallery.

The gentleman may proceed.

Mr. NORWOOD. We need the balanced budget amendment to force discipline on this body. This Nation is \$5 trillion in debt. It is a debt that we are going to pass on to these young people

unless we act now. It is a debt that continues to grow. It is not enough to say that we would like to have a balanced budget. Were it that easy, we would have done it at least once during their lifetime.

It is clear after 25 years, that we must pass the balanced budget amendment to force this body to act.

Mr. Speaker, we must protect their future. We must take a stand here today so that the next generation will not bear the burden of our mistakes.

I urge my colleagues to support the balanced budget amendment.

DIFFERENT APPROACHES TO A BALANCED BUDGET AMENDMENT

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, after all of the smoke and hot air clears from the debate on the balanced budget amendment, what is the difference between the two parties on this issue?

First, we Democrats support a balanced budget, many of us a constitutional amendment, but unlike the Republicans, we want to specify where the cuts are so that the American people know and the States can plan adequately.

We Democrats support the Constitution and will oppose a supermajority that is clearly unconstitutional. The Republicans do not.

We Democrats believe Social Security should be excluded, and have an amendment clearly stating that. Republicans have an innocuous amendment that better should be known as the "Endangered Chicago Seat Protection Act."

Mr. Speaker, the President last night was bipartisan. He was positive, and we should do the same in this body.

TEN REASONS WHY THE AMERICAN PEOPLE DESERVE A BALANCED BUDGET AMENDMENT

(Mr. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHRISTENSEN. Mr. Speaker, the top 10 reasons why the American people deserve a balanced budget amendment:

No. 10, fiscal discipline does not work.

No. 9, we need to make it as difficult to get into debt as it is going to be to get out of it.

No. 8, the national debt is \$4.6 trillion and climbing.

No. 7, 80 percent of the American people want it.

No. 6, since the people cannot raise their annual income just to meet their bills, Congress should not be able to either.

No. 5, contrary to Democratic rhetoric, tax increases may have never balanced the budget.

No. 4, it is in the Contract With America.

No. 3, businesses balance their budgets, families balance their budgets. Now it is time for the House of Representatives to balance the budget.

No. 2, if we do not pass a balanced budget amendment, even Big Bird will not be able to teach our young children to count as high as the debt is going.

And the No. 1 reason why the American people deserve a balanced budget amendment: Because it would protect the Social Security trust fund from tax-and-spend bureaucrats.

FEEL GOOD RESOLUTION

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, it is interesting, when I reviewed this morning House Resolution 44 brought up by the Rules Committee, that I find that the first order of business is not a balanced budget amendment but it is really a fraud on the House of Representatives and the American people, which is known as House Concurrent Resolution 17. It is a feel gooder. It does not have any effect. It is not even ever going to be signed into law. It is supposedly going to tell the people, our senior citizens who receive Social Security, that they are not going to be touched. Well, folks, that is not the effect of a concurrent resolution. That basically is a fraud.

The other thing I find in this rule, this is very interesting, is that the other body, the Republican Party, the majority have now admitted that the House Committee on the Judiciary did not follow the rules when they marked up the budget resolution for a balanced budget. Right in here it says, "Points of order against consideration of the joint resolution for failure to comply with clause 2(g)(3) of rule XI are waived."

That is an admission, that is an admission that the Committee on the Judiciary did not follow the rules of the House when they marked up the balanced budget amendment.

Why should we waive that rule? Why should we say that the Committee on the Judiciary does not have to follow the rules of the House?

BALANCED BUDGET

(Mr. METCALF asked and was given permission to address the House for 1 minute.)

Mr. METCALF. Mr. Speaker, at the end of every month Americans sit down with a checkbook in one hand and a stack of bills in the other. They realize that you cannot continue to spend what you do not have.

But Congress has never fully accepted that concept. Mr. Speaker, for decades Congress has led this Nation into a sea of red ink. Clearly a constitutional amendment is now the only way

to rescue Congress from itself, and to force it to do what 80 percent of our constituents would have us do; that is, balance the budget.

Some say we do not need an amendment to balance the budget, we just say "no" to the special interests.

□ 1120

They say just balance the budget. They are wrong, tragically wrong.

Jefferson said, "let no more be said of confidence in men but bind them down from mischief by the chains of the Constitution."

TWO MEN WORTHY OF PRAISE

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to commend two individuals who yesterday performed acts worthy of praise, one a Democrat, and one a Republican.

The first, Mr. Speaker, is President Clinton, who last night delivered a State of the Union Address in this Chamber that laid out a vision for our Nation. It is a vision in which lawmakers put aside their partisan differences and work together for the common good, for the well-being of the American people. It is a vision he calls the new covenant.

The second individual I want to commend, Mr. Speaker, is Congressman GERALD SOLOMON, the chairman of the Committee on Rules in this House. Yesterday, in the spirit of the new covenant, Mr. SOLOMON decided to remove from the wall of his committee room the portrait of Howard W. Smith, a portrait that many Members of this House felt was unworthy to hang in a place of such distinction.

I want to thank Chairman SOLOMON. He is a man of honor, integrity, and good will.

These two men, President Clinton and GERALD SOLOMON, deserve our thanks and our praise.

THE STATE OF THE UNION SPEECH

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, my good friend, JOHN LEWIS, the only two in either Chamber that were there the day Martin Luther King gave his stirring speech, I hate to disagree with him on anything, but I was offended by Clinton's speech last night on 15 points.

I will do a 5-minute special order tonight I have just signed up for. I can only mention four.

The first one is new covenant. The Ark of the Covenant was the Old Covenant. The New Covenant was the Son of God, Jesus Christ. I was offended

when he used that term in New York at the Democratic Convention. He repeated it over and over and over again last night.

No. 2, to put a Medal of Honor winner in the gallery that joined the Marine Corps at 16, fudging his birth certificate, that pulled that second grenade under his stomach, miraculously surviving and saving his four friends, he did that 6 days past his 17th birthday.

Does Clinton think putting a Medal of Honor winner up there is not going to recall for most of us that he avoided the draft three times and put teenagers in his place possibly to go to Vietnam?

No. 3, the line on the cold war, . . .

By the way, Mr. Speaker, the second amendment is not for killing little ducks and leaving Huey and Dewey and Louis without an aunt and uncle. It is for hunting politicians, like Grozny, 1776, when they take your independence away.

Thank you, Mr. Speaker.

Mr. FAZIO of California. Mr. Speaker, I move the gentleman's words be taken down.

The SPEAKER pro tempore (Mr. DUNCAN). For what purpose does the gentleman rise?

Mr. FAZIO of California. You cannot just do that.

The SPEAKER pro tempore. All Members will suspend. The Clerk will report the words spoken by the gentleman.

□ 1125

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. DUNCAN). The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. Mr. Speaker, a number of Members were not on the floor, including myself, when the gentleman uttered his words. Is it possible to have those words read back so that we can all hear it?

The SPEAKER pro tempore (Mr. DUNCAN). The gentleman is correct.

The Clerk will report the words.

The Clerk read as follows:

Even Andrea Mitchell of NBC took note that is Ronald Reagan's prerogative, George Bush's and all of us who wore the uniform or served in a civilian capacity to crush the evil empire. Clinton gave aid and comfort to the enemy.

The SPEAKER pro tempore (Mr. DUNCAN). In the opinion of the Chair, that is not a proper reference to the President. Without objection, the words are stricken from the RECORD.

Mr. FAZIO of California. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. Without objection, the words are stricken from the RECORD.

Mr. FAZIO of California. Mr. Speaker, reserving the right to object, I think the gentleman from California [Mr. DORNAN] owes the entire institution, the Congress, and the President an apology.

Mr. DORNAN. Hell no; hell, no.

Mr. FAZIO of California. We have a Commander in Chief. We have to have a certain decorum here and respect for the body, if not for the individual. We have a respect for the person who is our Commander in Chief.

I would like to know that the gentleman from California [Mr. DORNAN] not only understands that but will apologize to his colleagues and to the President for his behavior.

Mr. DORNAN. Unanimous consent to proceed for 15 seconds?

Mr. LINDER. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. The gentleman from California [Mr. FAZIO] has the floor at this moment.

Mr. FAZIO of California. I would be happy to yield to my colleague from California, since I have the time, to hear his response.

Mr. DORNAN. Will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from California.

Mr. DORNAN. To my distinguished friend and colleague, Maj. Earl Kolbille, Lt. Comdr. J.J. Connell was beaten to death in Hanoi. I have had friends beaten to death in Hanoi, tortured and beaten. You have not.

Mr. FAZIO of California. I have asked the gentleman—

Mr. DORNAN. I will not withdraw my remarks. I will not only not apologize, . . .

I will accept the discipline of the House.

Mr. VOLKMER. I ask that the words of the gentleman from California be taken down.

Mr. DORNAN. Good, I will leave the floor, no apology, and I will not speak the rest of the day. The truth is the truth.

The SPEAKER pro tempore. The House will be in order. The gentleman's words have already been taken down—

Mr. VOLKMER. Those words, those words.

Mr. FAZIO of California. The gentleman is challenging the words that were uttered in response to my question.

The SPEAKER pro tempore. The Chair rules that those words as follows "I believe the President did give aid and comfort to the enemy, Hanoi," were also out of order. The Chair has ruled that, based on the precedents of the House, the words of the gentleman from California were out of order, and without objection, both sets of words will be stricken from the RECORD.

Mr. BONIOR. Mr. Speaker, reserving the right to object, and I will not object unless I do not get a satisfactory answer to my concerns, my concerns were with, frankly, more than just the words that were read. I was particularly concerned with the last sentence or two of the gentleman from California's statement, and I would like those words as well to be read to the House.

The SPEAKER pro tempore. The Chair has just ruled that those words

were the same words essentially as those earlier taken down and previously ruled out of order.

The Chair has ruled that those words were also out of order.

Mr. BONIOR. Mr. Speaker, reserving the right to object, I think the Chair misinterprets my comments, and perhaps I was not clear. The words I am referring to were the original 1-minute statement by the gentleman from California [Mr. DORNAN], and I am particularly concerned with the last two lines of it, and I would like them read back to the House.

□ 1133

PARLIAMENTARY INQUIRIES

Mr. BONIOR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. (Mr. DUNCAN). The gentleman will state his parliamentary inquiry.

Mr. BONIOR. The Speaker in previous days has asked that the gentleman in question, upon words being taken down, be seated.

Would that not be a proper request to be made at this point?

The SPEAKER pro tempore. That is correct. The gentleman from California [Mr. DORNAN] should be seated at this point.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, the gentleman from California [Mr. DORNAN] did say that he understood the rules of the House, that he had been censured under the rules of the House for what he said, and he will not speak for the next 24 hours on the floor of the House, and it strikes me that we are operating under the rules.

Mr. BONIOR. Mr. Speaker, I think the request made by the gentleman from California [Mr. FAZIO] is still a valid and much-needed request and, in addition to that, I would certainly like to hear the last two lines of the gentleman's original statement.

Mr. FAZIO of California. I have a parliamentary inquiry of the Speaker at this point.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. FAZIO of California. When the Speaker rules that the gentleman should not be allowed to speak for 24 hours, does that encompass remarks that might be placed in the RECORD, participation in special orders, and other activities that might not involve the gentleman speaking on the floor?

The SPEAKER pro tempore. It is the House's determination as to whether or not the Member should be allowed to proceed in order for the remainder of the day. That determination shall not be made by the Chair.

Mr. FAZIO of California. In other words, is the House required to vote on whether or not remarks should be placed in the RECORD?

The SPEAKER pro tempore. Unparliamentary remarks cannot be inserted in the RECORD.

Mr. FAZIO of California. But remarks that are not ruled unparliamentary may be placed in the RECORD if they are not uttered on the floor; is that the ruling of the Speaker?

The SPEAKER pro tempore. Unparliamentary remarks should not be inserted in the RECORD in any manner or form.

Mr. FAZIO of California. They should not be inserted at any time, but there is a particular provision that we are dealing with here which removes the Member from the ability to communicate with his colleagues here.

Is that communication written as well as oral?

The SPEAKER pro tempore. In the RECORD the gentleman is correct.

Mr. FAZIO of California. So in other words, just to confirm the Speaker's ruling, we will not read or hear from the gentleman from California [Mr. DORNAN] for the next 24 hours; is that correct?

The SPEAKER pro tempore. Unless the House permits him to proceed in order, the gentleman is correct.

Mr. FAZIO of California. And for the House to permit that would require a majority vote?

The SPEAKER pro tempore. It would require either unanimous consent or a majority vote of the House to permit the gentleman to proceed in order.

Mr. FAZIO of California. I appreciate the Speaker clarifying the situation.

Mr. BONIOR. Mr. Speaker, the gentleman from California [Mr. DORNAN] is on his feet. Is he not supposed to remain seated until the determination?

The SPEAKER pro tempore. The gentleman can either be seated or leave the Chamber.

Mr. BONIOR. He chose to leave the Chamber; OK.

The SPEAKER pro tempore. Is it the Chair's understanding that the final words in the original 1-minute are included in the gentleman's request?

Mr. BONIOR. The Speaker is correct.

The SPEAKER pro tempore. The Chair is attempting to have them transcribed at this moment.

The Clerk will report the words in the original 1-minute.

The Clerk read as follows:

By the way, Mr. Speaker, the Second Amendment is not for killing little ducks and leaving Huey, Duey and Louie without an aunt and uncle. It is for hunting politicians, like Grozny, 1776, when they take your independence away. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair sees nothing unparliamentary about those words.

Without objection, the words already ruled out of order will be stricken from the RECORD.

There was no objection.

TAKE A LOOK UNDER THE HOOD OF THE BALANCED BUDGET AMENDMENT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute.)

Mrs. SCHROEDER. Mr. Speaker, it is very hard to take the well after such an emotional time. I think Americans all wish we could get on with business and stop this kind of partisan fireworks, and yet today is the day where I think, if a lot of Americans knew what kind of business we were going to do, and we were really going to be giving them the business, they would want this partisan fireworks to continue.

We are going to take up a balanced budget amendment. I say to my colleagues:

"When you read the rule, you will find out that in the Judiciary Committee we didn't have proper notice. As you know, the major amendments were never dealt with. We rolled it out here to the floor, and the very first thing we are going to do today is take up a resolution saying, 'Oops. Well, we really don't mean Social Security to be included.' But if you think that resolution is going to outweigh a constitutional amendment, you're wrong. This kind of haste is going to make people very, very angry. You don't buy a car without looking under the hood, and don't buy this today. It really is not what you think it is."

THE AMERICAN PEOPLE DEMAND A BALANCED BUDGET AMENDMENT

(Mr. GANSKE asked and was given permission to address the House for 1 minute.)

Mr. GANSKE. Mr. Speaker, change is scary, especially for the folks who liked things the way they were. But my job is to do the people's work.

Mr. Speaker, the American people have spoken. They want a leaner and less intrusive government. They want us to put our financial house in order. And finally, they want us to end politics as usual.

Congress has been on a spending binge that has clearly lasted too long. This binge has created a huge national debt that is costing our country \$816 million every day in interest alone.

The American people demand that we get our financial house in order. It is time to end the bickering and get down to work. It is time to show the courage needed to pass a balanced budget amendment. For too long Congress has spent and spent, passing the bill on to our children and our grandchildren. This has got to end.

I recognize that the road ahead will be tough. I also recognize there will be resistance. We must pass a balanced budget amendment.

THE GREATEST INCENTIVE TO WORK IN AMERICA IS THE ABILITY TO EARN A DECENT WAGE

(Mr. WYNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYNN. Mr. Speaker, I rise this morning to say that the President got it right last night. He talked about empowering people, and critically he said, "You've got to pay a decent wage." He suggests that the greatest incentive to work in America is the ability to earn a livable wage.

Mr. Speaker, I recall commenting about a seamstress who, when told, "If you got an increase in the minimum wage, you might lose your job," told a reporter, "Look. I'll take my chances with a job. I want a better wage."

There are young people all throughout my district who say the same thing:

"Congressman, we want to work, but it's got to pay a decent wage."

The President pointed out last night that at the current minimum wage level of \$4.25 an average American makes \$8,840 a year, less than we make in 1 month. I think that is very telling because subsequent to his speech last night the American people in poll results said by a margin of 72 percent that they wanted a livable wage.

Ladies and gentlemen of America, there is a difference. The President has got it right. Let us pay a decent wage.

HAS THE PRESIDENT BECOME A REPUBLICAN?

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, I say to my colleagues, "Don't get excited, everyone. I don't want to cause any parliamentary problems here today, and I certainly don't intend to impugn anyone's motives or integrity, but after listening to the President's speech last night, I have to ask the question that all of America wants to know: Has the President become a Republican?"

Mr. Speaker, some in the Chamber might not take kindly to that label, but to most of us we consider it to be a badge of honor, and I say to my colleagues, "If you've read recent polls, it appears that, as the President has, the American people are demanding the same Republican principles of smaller, less costly government, greater individual freedom based on personal responsibility."

That is exactly what the President embraced last night, and that is exactly the premise of our Republican Contract With America. Mr. Speaker, it is good to see the President has joined with a majority of the voters in supporting the Republican agenda. We are the party of forgive and forget, and we welcome him to our cause.

THE REPUBLICAN MAGIC MESSAGE TO BALANCE THE BUDGET

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, the day that Congress votes on the balanced budget amendment I am troubled by the fact that the Republicans still have not told the American people where the cuts are coming from. One thing the Republicans are telling us, however, is that they want to change the Consumer Price Index with smoke and mirrors. They want to change the way the Consumer Price Index is calculated.

What does that mean? It means that Social Security benefits will be cut by \$27 billion, cutting benefits for 42 million senior citizens. Republican recalculation of the Consumer Price Index means taxes will be increased by \$21 billion, raising taxes on 114 million families.

Wait a second. Are these the two steps Republicans promised not to take, cutting Social Security and raising taxes? Republicans again want to magically massage budget numbers to balance the budget. Perhaps, Mr. Speaker, we can now expect Republicans to name David Copperfield as the new CBO Director.

Mr. Speaker, Republican smoke and mirrors will not fool the American public.

□ 1148

MINIMUM WAGE

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, last night we heard President Clinton call for an increase in the minimum wage. Leon Panetta claims such an increase will "keep people interested in work rather than in welfare."

It must have been a busy week for the writers over at the White House. Not only did they have to write a State of the Union Address, but they had to rewrite basic economic theory as well.

Last Wednesday, Mr. Carlos Bonilla, an economist at the Employment Policies Institute, testified before the Opportunities Committee. He argued that low wage jobs, not job training programs, provide the best means to break the cycle of dependency. He also warned that raising the minimum wage would deprive many welfare recipients of the opportunity to work their way off welfare.

I urge my colleagues, who believe that raising the minimum wage rate will help the poor, to review Mr. Bonilla's testimony. The President's intentions may be good, but raising the minimum wage is bad policy.

As the House begins to consider legislation that will move welfare recipients toward self-sufficiency let us not

lift the bottom rung of the occupational ladder beyond their reach.

SOUND FAMILIAR?

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, can anyone seriously tell me what was different in last night's State of the Union Address from what the President has done in his previous two addresses, I mean besides the fact that it was longer?

There is nothing wrong with the President's words; it is not the President's speeches that have put him in the fix he is in, it is his actions, and the quicker the President figures that out the better off we all will be.

The President says he wants less Federal spending and a smaller, more efficient Government. If that is the case, I hope he supports the tax limitation balanced budget amendment that we will vote on today.

The President says he wants to reduce unfunded Federal mandates on State and local governments. If that is the case, he should tell our Democrat colleagues to stop these obstructionist tactics we have seen that have stalled the reform bill that we have been working on all week.

The President says he wants to end welfare as we know it. If that is the case, then he should support the Republican contract bill which will fundamentally change the role of welfare in our society. But the President probably will not do that, and next year he will come back with a speech that will sound familiar to us all.

MIDDLE CLASS PROMISED PROTECTION IN PRESIDENT'S POSITIVE AGENDA

(Mrs. LOWEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, last night the American people heard President Clinton present a positive agenda for America's long forgotten middle class. He held out an olive branch to my colleagues on the other side of the aisle and said the Democrats and Republicans must come together for the public good.

But the President also made it very clear that we will not allow the new Republican majority to undermine the progress we have made in fighting crime, protecting the environment, and improving education. When the Republicans propose radical ideas like eliminating the FDA, federalizing divorce laws, criminalizing abortions, and slashing Medicare and Social Security, we will oppose them every step of the way. We want to move this country ahead to the 21st century, not go back to the 19th.

We are going to continue to fight for our hard-working families. We will work to pass a middle class tax cut to help families pay the mortgage and send their children to school. We will continue to reinvent government and cut bureaucracy, and we will not slash Social Security and Medicare. Can our Republicans say the same?

THE REPUBLICAN PROMISE TO THE AMERICAN PEOPLE

(Mr. LEWIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Kentucky. Mr. Speaker, some of the President's remarks last night gave us reason to hope. The President has done that before. However, let us remember that hopeful rhetoric does not always lead to action.

I know what kind of action the American people want. Back in November the voters sent us a message—it is time to change Congress, no more overbloaded, big spending, big government status quo. The American people demand change.

Republicans are working to keep our promise to the American people. We are committed to reducing the size, scope, and cost of our Federal Government. We are passing unfunded mandates legislation and balancing the budget because that is what the American people want.

They want no rhetoric, just action. I hope the President's party will join us in a bipartisan way to deliver the people the action they want.

A NEED TO SPECIFY WHERE THE CUTS TAKE PLACE

(Mr. POMEROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMEROY. Mr. Speaker, at the finest moments of the State of the Union speech last night the President stressed bipartisan responses to the problems which face this country.

I believe the new majority is making a serious mistake in its tough partisan response to his and other viewpoints. This partisanship is evidenced in many ways, including the wholly inappropriate words uttered by the gentleman from California a few minutes ago.

It is also evident in majority efforts to stop this House from considering requirements that the balanced budget amendment specify where the cuts will come from. Every single balanced budget amendment proposal considered by this body should specify where the cuts will come. I favor a balanced budget amendment, but I deeply regret that the new majority has not even allowed us to vote on whether every proposal should specify where the cuts will be.

OFF TO A GREAT START ON THE CONTRACT WITH AMERICA

(Mr. JONES asked and was given permission to address the House for 1 minute.)

Mr. JONES. Mr. Speaker, Americans want change. They want a balanced budget amendment, unfunded mandate reform, a line-item veto, and a middle class tax cut. People want change to make their lives easier and to get government off their backs. People want less government, lower taxes, and more control over their lives.

Just look at the November election results. Last night I was listening to President Clinton express the same ideas. He suggested that we stop imposing mandates on States, that we adopt a line-item veto to slash pork-barrel spending, and that we work together for a \$500 middle class tax cut.

Mr. Clinton, welcome to the Republican philosophy.

This is the Contract With America. The Republican Party campaigned for and the American people supported our contract. We are off to a great start, so let us begin working together to achieve these goals for the people by starting with the balanced budget amendment.

RUSH TO JUDGMENT ON MEXICAN LOAN GUARANTEE

(Mr. MENENDEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, the Contract With America does not include a \$40 billion bailout provision for Mexico, and, therefore, I cannot fathom the need to rush to judgment that we are seeing in this House.

This proposal is moving faster than a bullet train without brakes, and we are talking about \$40 billion of U.S. loan guarantees.

Now, there is a hearing today, but it is only with administration witnesses. No dissenters need apply. The International Relations Committee, I understand, is holding no hearings. They are going to go direct to the Rules Committee and on to this floor.

Each Member has a fiduciary responsibility to the taxpayers of this country, and it is not to rush to judgment on \$40 billion of loan guarantees. We heard the Mexican Government say they want no conditions. I cannot go to a bank, you cannot go to a bank and say you want to impose the conditions under which you get a loan.

Mr. Speaker, let us not rush to judgment. Let us think about what we are doing. Let us exercise our fiduciary responsibility.

□ 1200

GIVE PEOPLE CHANGE

(Mr. TIAHRT asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, it was an honor last night to sit in this Chamber and listen to all three of the President's speeches: The one to the Republicans, the one to the Democrats, and the one to the people. Clearly the President has heard the real State of the Union, which was given by the people last November 8.

However, the President failed to comprehend how serious the people are about passing a balanced budget amendment with a strong tax limitation. Without a supermajority to raise taxes, Congress will be tempted to balance the books on the backs of working families and the middle class, and they just cannot afford for that to happen again.

Instead, each of us needs to make a commitment to spend the people's money as if it were our own. We need to sit down in a bipartisan manner and get the scalpel out and begin to cut government. Like the President said last night, let us change the government; let us make it smaller, less costly, and smarter, leaner, not meaner.

I am here because the people of Kansas wanted real change. Now let us put it into action. Let us given it to them, with a balanced budget amendment and a strong tax limitation.

DO NOT RETURN TO UGLINESS OF THE PAST

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, yesterday members of the Congressional Black Caucus took a stand against allowing a symbol of segregation and racial division to be honored in the House of Representatives. I refer to the decision which was made earlier by Members of the new majority party to replace the portrait of Claude Pepper, a great humanitarian and champion of civil rights and older Americans, with a painting of a renowned segregationist and outspoken defender of slavery, former Representative Howard W. Smith. I commend Representative LEWIS of Georgia for speaking out on this issue, and let me also point out that the new chairman of the Rules Committee, our colleague GERALD SOLOMON of New York, to his credit, heard our grievance and agreed to remove the portrait. We appreciate his response, but I am disturbed by what appears to be a pattern of turning back the clock on the progress in racial relations. This incident comes on the heels of the controversy over the hiring of the House Historian, Christine Jeffrey, who insisted that schoolchildren must be fair to the Ku Klux Klan, a secret society who appears in white sheets and who have terrorized African-Americans, Jews, Roman Catholics, and others they find unacceptable.

Mr. Speaker, I hope these incidents are just the result of errors made in haste during the rush of the first 100 days, and not a more sinister campaign to return to the ugliness of the past.

ACT NOW ON CONTRACT WITH AMERICA

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, last night President Clinton gave a great marching speech. Left-right, left-right, left-right. At times he was Reagan, at times he was Dukakis. But in the end it was the same old stuff, the White House weather vane rides again. In the final analysis of his 1½ hour vague, meandering, heartwarming tales of innuendo, insinuations and soft truths, we were led to nowhere.

In contrast, New Jersey Governor Christine Wittman said "Actions will always speak louder than words."

Let us today start with actions by passing the balanced budget amendment, go on to prohibit unfunded mandates, follow it up with the line-item veto, and the rest of the elements of the Contract With America, which is what the American people wanted and how they spoke November 8.

SPELL OUT PLAN FOR BALANCED BUDGET

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, amending the Constitution is always very serious business. The balanced budget amendment is particularly serious when, as proposed in the contract, it is to be joined with an increase in military spending, a cut in taxes, and a promise not to touch Social Security. And, to boot, we are supposed to make it almost impossible ever to consider even an emergency tax increase on upper income Americans if that were necessary to reach balance. In other words, it is all to be done, all \$1 trillion-plus, by 2002 by cuts in spending.

Now the advocates of this approach say it can be done. Assuming they are speaking in good faith, that must mean they have some plan for getting it done, and if they have such a plan, it seems to me they ought to let the American people know what is in it.

Let us know where this road leads before we start down it, promising to get to the other end. And if they do not have a plan, then let us know that now too.

Unfortunately, however, the Committee on Rules refused to make in order an amendment that would give the American people the right to know.

ACTIONS SPEAK LOUDER THAN WORDS

(Mr. WELLER asked and was given permission to address the House for 1 minute.)

Mr. WELLER. Mr. Speaker, last night this Chamber was treated to quite a speech. At times it sounded as though the President had finally heard the message that the American people sent last November. Americans want smaller government and less taxes. In fact, there were times I was expecting the President to pull out his copy of the Contract With America and put his signature on it.

But, Mr. Speaker, actions speak louder than words. If the President is truly serious about reducing the burden and size of the Federal Government, I challenge him to join with the new Republican majority and help pass the balanced budget amendment. Only with a balanced budget amendment will Congress have the backbone and discipline to end the irresponsible and wasteful spending that has engaged this body in the last 2½ decades.

WE NEED TO GET OUR OWN HOUSE IN ORDER

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, last night the President was gracious in his calls for bipartisanship whenever possible in doing the people's business. One area for such bipartisan approach is the areas he suggested for tax deductions for postsecondary education. This is in the best tradition of this country, because we know that the surest route to success is education.

However, before we can do the people's business, we have to get our own house in order. It does no one any good to have someone come to this floor and impugn the patriotism of the President of the United States. Freedom of speech is the basis of our Government. It is what every one of us stands for. But when someone unfairly attacks the President of the United States on this floor, we weaken our Government, we weaken each and every one of us on whatever side of the aisle. It should end, it is unacceptable, and it is wrong, and the people do not want it.

PASS THE BALANCED BUDGET AMENDMENT

(Mr. BUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. BUNN. Mr. Speaker, today, the House of Representatives takes up the balanced budget amendment again. This House has repeatedly rejected the balanced budget amendment. In that time our Government has grown ever larger, our taxes continue to increase, and the crushing burden of debt has

reached the breaking point. Either this House will pass the balanced budget amendment, or we will continue to condemn future generations of Americans to a lifetime of penance for our mistakes.

Mr. Speaker, the American people have grown cynical about the ability of their Government to control spending, and why should they not? For decades we have raised taxes rather than making the tough decisions necessary to cut spending and balance the budget. Now we have one last chance to force the Government to live within its means. We must pass the balanced budget amendment and save our grandchildren from a debt they did not run up and they do not deserve.

PROTECT SOCIAL SECURITY IN BALANCED BUDGET AMENDMENT

(Mr. BECERRA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BECERRA. Mr. Speaker, while some Republicans talk about buckling knees, President Clinton's stance last night was bold and firm: Cut the deficit and balance the budget, but not on the backs of our senior citizens and children.

The Republicans' so-called balanced budget amendment requires \$1.2 trillion in cuts. But get this, they will not tell us how they are going to get there. We do know one thing for sure: Republicans will not exempt Social Security and Medicare. In fact, during a recent hearing on the balanced budget amendment in the Committee on the Judiciary, every Republican but one voted against an amendment to protect Social Security from the budget ax.

I understand that Speaker GINGRICH has said in an interview recently that Social Security is off the table. If this is so, then why are his Republican colleagues voting against such an amendment and why in the past has Speaker GINGRICH himself said that "everything is on the table"? Everything includes Social Security.

Mr. Speaker, the President's words rang very true last night when he said the elderly have made us what we are. And unlike the Republicans, the President's words were very clear and unequivocal when he said "My budget cuts a lot, but it protects education, veterans, Social Security, and Medicare."

Mr. Speaker, rather than just talk about balancing the budget, I challenge the Republicans to bring their real budget cleaver out from underneath the table.

DEMOCRATS ADJUSTING TO MINORITY STATUS

(Mr. LAHOOD asked and was given permission to address the House for 1 minute.)

Mr. LAHOOD. Mr. Speaker, I must say that the Democrats are adjusting

well to their new minority status. I thought it would take them at least several months to completely marginalize themselves in this Chamber, but they appear to have accomplished this in record time.

While Republicans have busied ourselves at making good on our promises to the American people to end unfunded mandates and pass a balanced budget amendment, the Democrats have put all of their energy into creating an atmosphere of cynicism and mistrust.

But the delay tactics of the Democrats will not prevent us from working the will of the American people. We Republicans will pass an unfunded mandates bill, and, we will pass a balanced budget amendment.

Someone once noted that cynicism is frustrated idealism. Last November, the Democrats witnessed the total repudiation of their ideals. Now, they have reduced themselves to a cynical display of class-envy and obstructionism.

□ 1210

BALANCED BUDGET AMENDMENT

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, last night President Clinton spoke of a covenant of rights and responsibilities between Government and the American people. Today we begin again the renewal of our responsibility to manage our Nation's money with common sense and discipline.

The issue of balancing the budget is not a conservative or liberal one, nor is it an easy one, but it is an essential one for us in this House, for the American people, and most assuredly, for future generations.

The 1980's saw an explosion of debt in Government, in business, and in personal finances. It threatened our economic health and strength. We dramatically addressed this crisis in 1993, and the debt is receding, but we must ensure that the competing demands for Federal resources do not erode our fiscal covenant of responsibility. That is why I believe it so important for us to adopt the Stenholm-Schaefer balanced budget amendment.

CONGRESS NEEDS A THREE-FIFTHS TAX LIMITATION ON THE BALANCED BUDGET AMENDMENT

(Mr. FORBES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORBES. Mr. Speaker, the families in my home area, Suffolk County, must live within their means and spend only what they take in. They have to live on a balanced family budget, and in the seven towns and the villages and

the school districts, they also must live within their means and on their budgets as well.

Only in the Nation's Capital is the notion an oddity, living within a balanced budget. For decades now the Congress only seems to know about increased spending, and to feed that addiction with increased taxes.

The Republican majority, in response to the American people and in concert with them, have charted a new course, a course that embraces a balanced budget with a tax limitation provision. This is a course that seems unique only in Washington, DC, but commonplace everywhere else in the country.

Like an errant child who needs discipline, Congress needs a three-fifths tax limitation for that discipline. Let us pass it before over taxes again.

CONGRESS SHOULD ACCEPT THE PRESIDENT'S CHALLENGE AND BEGIN TODAY TO GET TO WORK FOR AMERICA

(Mr. LUTHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUTHER. Mr. Speaker, President Clinton's message last night was the message I heard from the Minnesotans I represent throughout last fall's campaign: If you work hard and play by the rules, you should be rewarded by a chance at achieving the American dream.

As a new Member of this body, Mr. Speaker, I came here to achieve results on a bipartisan basis for the people of my district. I applaud this Congress for its quick action on congressional reform but, Mr. Speaker, I say to the Members, that is just the beginning.

We must now get to work and fight to improve the lives of everyday Americans. Middle-class families are crying out for jobs that pay a liveable wage, for an education that provides the tools for the future, for affordable health care for themselves and their kids, and for streets free of violence and drugs. These are the reasons we were elected, to improve the lives of our fellow Americans.

Mr. Speaker, let us accept the President's challenge, stop the gridlock and bickering, and get on with making a better tomorrow. Let us begin today.

THE TAX LIMITATION BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, today is a historic day. We are going to consider the tax limitation balanced budget amendment to the Constitution.

No one, perhaps except President Clinton and some of his senior economic advisers, seriously questions whether we should balance the budget anymore. The question is how to do it.

In the Contract With America, the Republican majority says we should balance the budget with a three-fifths requirement to raise taxes, and put the emphasis not on raising taxes but on cutting spending. Why is this?

If we look at Federal spending over the last 40 years, there has been no year in which Federal spending went down. Every year Federal spending has gone up. In the years that we have had major tax increases, and we have had 16 major tax increases in the last 30 years, Federal spending has gone up and the deficit has gone up also.

Therefore, the American people want a real change. They want a tax limitation balanced budget amendment that puts the emphasis on balancing the budget by cutting spending, not by raising taxes.

Mr. Speaker, I hope my colleagues will vote for the Barton-Hyde-Dade-Geren balanced budget amendment to the Constitution with the three-fifths requirement for a tax increase.

CONGRESS MUST BALANCE THE BUDGET, BUT DO IT IN THE RIGHT WAY

(Mr. TUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUCKER. Mr. Speaker, last night the President addressed us. We have heard some of our colleagues indicate that he was equivocal, that he had one speech for the left and one speech for the right.

Indeed, however, Mr. Speaker, the President was very lucid last night. He was very clear. What he said is that he believes in balancing the budget, but the devil is in the details.

What he said, Mr. Speaker, is that yes, he embraces some of the principles in the Contract With America, but, Mr. Speaker, as every good lawyer and, indeed, as every good lawmaker should know, a contract is only as good as its terms and conditions. You must look at the specificities.

The Republicans have not offered us any specificities on how they intend to balance the budget. All they can tell us is if we do not balance the budget, we will indeed be paying for it with our children's future. If we balance the budget on the backs of our children, on the backs of our Social Security recipient, they will indeed be paying for it in their future.

Mr. Speaker, we must be conscientious. We must listen to the President of the United States. We must do it right, but we must do it rightly.

CONGRESS MUST PASS THE BALANCED BUDGET AMENDMENT TO PROTECT THE AMERICAN WAY OF LIFE

(Mr. DIAZ-BALART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, history puts so much in perspective and in context. We are going today to bring forth before this House a constitutional amendment to require that our Federal budget be balanced.

Very prosperous countries in the past, very wealthy countries, even in this hemisphere, for example, Argentina, if we look at the history in the early part of this century, Argentina was among the most prosperous countries in the world. If we look now at the dilemma that we are faced with in Mexico, an economy that is part of NAFTA, and it is a very thriving economy, these instances in our recent history and in the recent history of this hemisphere point to the fact that fiscal irresponsibility can destroy even prosperous, even very growing economies.

When we realize that even Keynes, Mr. Speaker, never envisioned permanent deficit spending, we realize that we must put our budget under constraints. We must put ourselves under constraints, as every family in America has to. We must pass this amendment to balance the budget.

URGING THE PRESIDENT TO HELP IMPLEMENT REFORMS CONTAINED IN THE CONTRACT WITH AMERICA

(Mrs. WALDHOLTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALDHOLTZ. Mr. Speaker, Republicans in this Chamber have vowed to keep faith with the American people. The Contract With America lays our specific guidelines to reform the way the Federal Government conducts its business.

By ending unfunded mandates, our Government will stop the process whereby the Federal Government simply dictates policy to the States, whatever the cost. And, by passing the balanced budget amendment, the Federal Government will be forced to live within its means, a responsibility that American families accept everyday.

Mr. Speaker, Americans have overwhelmingly endorsed this reform agenda. We urge the President to help implement this agenda to restore to the Federal Government the basic values of accountability, responsibility, and individual liberty.

□ 1220

BATTLE OF THE CONTRACTS

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, stay tuned America for the battle of the contracts today on the floor of the U.S. House of Representatives. In one corner the Republican contract, which

will bring us today the balanced budget amendment. And what is included in the amendment which my Republican colleague applauds? Opportunities to make deep, slashing cuts in Social Security and in Medicare. In fact, every version of the Republican contract on the balanced budget amendment leaves Social Security and Medicare vulnerable.

How vulnerable? In my home State of Illinois some 30 percent in cuts in Medicare are projected, reducing the benefits for senior citizens, more out-of-pocket payments and the closing of rural and inner-city hospitals.

And in the other corner the Roosevelt Democratic contract. Roosevelt's contract for Social Security, 60 years now of dignity and independence for senior citizens, and a Democratic contract on Medicare, which makes sure that seniors do not have to worry, as they did in the past, about the payment of medical bills.

As Speaker GINGRICH and others reminisce about FDR, they might want to reflect on his values and the time-honored contract he made with the American people, today, in this debate.

HOW TO SHRINK THE FEDERAL BUDGET

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, here is a balanced budget, not a balanced budget amendment, but a balanced budget that we voted on last March. Do my colleagues know what? This budget did not raise taxes, did not cut Social Security, did not cut into veterans' contracts or obligations that we owe them.

What it did was shrink the size of the Federal Government. It eliminated 150 programs like the Interstate Commerce Commission. It privatized 25 government agencies like the Federal Aviation Administration. It downsized the Department of Education, which has not produced anything in education, from 5,000 employees down to 500. Thirty-six thousand Commerce Department employees have not produced one nickel of profit in America, and we cut them from 36,000 down to 3,000.

That is how to shrink the size of the Federal Government. We do not cut Social Security; we do not have to, and my colleagues know that.

BALANCE THE BUDGET WITHOUT A CONSTITUTIONAL AMENDMENT

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, balancing the budget is a good idea, but using our country's most precious and time-honored document, the Constitution, to do it is a bad idea. It is unnecessary. It would delay the budget balancing, and could impede rather than

advance economic growth. And the 60-percent supermajority on budget matters, revenue, and public debt policy would mean the minority, not the majority, would control, and gridlock over our most important fiscal decisions would result.

During the last Congress we adopted a budget to cut a record \$500 billion from the deficit. Contrast that with the new Republican majority proposal to put off the budget balance in exchange for a promise in the Constitution to do it after 7 years and two presidential elections.

And in fact, the new majority has steadfastly refused to put its budget-cutting numbers on the table. We know why. Our knees would buckle, the States' knees would buckle, but most importantly, the American citizens' knees would buckle.

CUTTING THE FEDERAL BUDGET

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, my Democrat colleagues make a strange argument against the balanced budget amendment. They say do not pass it because if we do, we will have to cut spending.

The corollary of that is that they think it is wise to continue to increase the deficit \$100 to \$300 billion every year for the next decade.

Two, this year the estimates are down, but Members know as well as I do it is only a couple of years until they zoom up to \$400 billion a year.

Yes, a balanced budget amendment will mean that we will have to cut spending, and to the extent that we do it honestly by downsizing agencies, by raising the retirement age so that Federal employees retire when the rest of the world retires, by means testing Medicare premiums, by doing sensible, realistic, honest changes in Federal public policy, to that extent, you bet we will be able to protect Social Security, health care security for our seniors, and those programs critical to the American people.

TRUSTING THE AMERICAN PEOPLE TO MAKE DECISIONS ON A BALANCED BUDGET

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, earlier this year the Republicans got quite upset when people called their Contract With America a contract on America. Today we are finding out, in fact, those who called it a contract on America were more accurate, because it is a contract on our senior citizens, both to their Social Security payments and to their health care coverage given to them under Medicare.

The gentleman held up a budget just a minute ago that he said would balance the budget. The only problem was only 73 Members voted for that. The fact of the matter is that the people were not prepared to vote for it.

What we see now is the effort of them to rush the balanced budget amendment through, but not have the courage of their convictions to tell Americans in advance where they will cut the budget. The last time they tried to do this only 73 Members voted for it. So what do they want to do now? They want to rush the balanced budget through, not have the courage, the ultimate cynicism of not trusting, not trusting the American people to look at their plan and make a decision whether they want it or not.

It is balanced budgeting in the dark, not in the open as they pledged to do.

KEEPING AMERICANS IN THE DARK ABOUT THE BALANCED BUDGET AMENDMENT

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, last night the President said that his budget "protects against any cuts in education."

But, the President's determination to preserve education funding is on a collision course with the Republican Contract on America. This contract promises to balance the budget, cut taxes, and increase military spending, all at the same time. Clearly this contract is a puzzle which is missing most of its pieces.

Today on the House floor we will be debating one piece of this devious puzzle—the balanced budget amendment. Mr. Speaker, if Republicans stick to their contract, they will have to cut more than \$1.3 trillion in nonmilitary programs in the next 7 years.

I ask the Republicans—why won't you educate the American people about the cuts you plan to make in our children's education? Mr. Speaker, our children and their parents have a right to know the fine print of the contract.

The Republicans say they want openness in government, that they want to shine some light on this institution. But in this week's debate on the balanced budget amendment, they are keeping America in the dark about the future of children.

BALANCED BUDGET AMENDMENT

(Mr. DOYLE asked and was given permission to address the House for 1 minute.)

Mr. DOYLE. Mr. Speaker, I rise in support of the only bipartisan, bicameral balanced budget amendment. I speak of the Stenholm-Schaefer amendment, House Resolution 28, of which I am a cosponsor. I cosponsored this resolution because I believe it is absolutely imperative that the 104th

Congress pass a balanced budget amendment this year.

Today, we will begin the debate on several different proposals that have been introduced as possibilities. All of these proposals have merit—and I believe that all of them are serious efforts at formulating the best possible amendment to the Constitution.

However, I am concerned that we do not lose sight of our goal. As we engage in this debate, and examine the strengths and weaknesses of the various proposals, I urge my colleagues to remember how important it is to pass a balanced budget amendment. Our debt currently exceeds \$4.3 trillion. Since this House last voted on a balanced budget amendment last March, our debt has increased by more than \$160 billion.

This country needs a balanced budget amendment and the Stenholm-Schaefer amendment is our best hope. While all other proposals will be dead on arrival in the Senate—the Stenholm-Schaefer amendment has the bipartisan support needed to actually pass in the Senate and I urge my colleagues to support it.

□ 1230

THE BALANCED BUDGET AMENDMENT

(Ms. MCCARTHY asked and was given permission to address the House for 1 minute.)

Ms. MCCARTHY. Madam Speaker, as debate begins on the balanced budget amendment, there are two issues we need to keep in mind.

First, the mere ratification of the balanced budget amendment will not balance the budget. Between ratification of the amendment and the year 2002—when the amendment would come into force—we will continue to face yearly deficits of \$200 billion. That is why it is imperative that we stipulate how the deficit will be reduced and why we need to be up front with the American people and explain the detailed steps we will take in balancing the Nation's books.

Second, we have to guarantee that we will not balance the budget on the backs of the States. Shifting spending from the Federal Government to State and local governments is not the answer and—despite the Rules Committee not placing in order my amendment on cost shifting—our State and local governments deserve to be protected from any such attempt to do so.

THE CONSTITUTION: A DOCUMENT INTENDED TO ENDURE FOR AGES TO COME

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute.)

Mrs. CLAYTON. Madam Speaker, over a period of more than two centuries, we have amended the Constitution 27 times, 27 times in more than 200 years.

Madam Speaker, the text of the 27th amendment was prepared September 25, 1789, and was not ratified until May 19, 1992, 203 years later.

With this amendment and the amendment for term limits, the majority proposes to ratify the Constitution two times in 100 days. The House Committee on the Judiciary approved the balanced budget amendment in exactly 1 week after we convened the 104th Congress. The Senate Judiciary Committee approved it 1 week after the House did.

Now, 3 weeks after we have convened, we are being asked to actually amend the Constitution and send it to the States. This impetuous pace, this haste, is a far cry from John Marshall's of the Constitution as the document intended to endure for all ages.

Madam Speaker, amending the Constitution is a serious matter. It is not to be done in haste.

CREATE LOAN GUARANTEES HERE AT HOME

(Mr. FLAKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLAKE. Madam Speaker, this morning we have spent a great deal of time in Banking talking about a \$40 billion potential guarantee to Mexico. We heard arguments that the reason we ought to do this is because it is good for America; it is good for Mexico, because Mexico is on our borders; it will create jobs.

As I listened to the discussion, and I give consideration to the fact that so many of us are talking about reductions in various programs, welfare and other programs, I could agree with that if we could also make the same kind of passionate arguments for the creation of loan guarantees in this Third World nation within our borders. If we could conglomerate those communities, give loan guarantees to create small businesses, then those persons we bring off of welfare would have job opportunities in the communities in which they live. When the loans are repaid, we take that money, reinvest it in those communities, create more jobs, create more job opportunities, and then we do not have to worry about growing welfare or other entitlement programs.

Madam Speaker, I believe if we are looking for a way to be able to solve the problem of the growing budget in this area, then the best way to do it is let us talk about loan guarantees, not just for Mexico. If it is good for Mexico, it ought to be good for America to do it here at home.

THE NATIONAL DEBT AND THE BALANCED BUDGET AMENDMENT

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, we cannot go on as a nation piling debt on debt year after year. The national debt

is nearly five times higher today than it was when Ronald Reagan became President in 1981. That is a disgraceful, bipartisan legacy of irresponsible spending and tax giveaways.

The total debt of the Federal Government totals more than \$4.6 trillion, more than \$16,000 for every man, woman, and child in America. Interest alone will total more than \$225 billion, more than 10 times all the Federal funds spent on all education programs and assistance by the Federal Government.

Some oppose the balanced budget amendment over genuine concern for the fate of Social Security, child nutrition, education funding, or other meritorious programs. An honest assessment of these programs shows us they have not done well while we accumulated \$4 trillion in debt these last 12 years.

There is not a penny in the Social Security trust fund. It has all been borrowed and spent, replaced by a pile of IOU's.

Twenty percent of my State's children live in poverty and go to bed hungry every night.

We all know the shortfall in education funding. It is time to balance the Federal budget.

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 17, TREATMENT OF SOCIAL SECURITY UNDER ANY CONSTITUTIONAL AMENDMENT REQUIRING A BALANCED BUDGET, AND PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 1, PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 44 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 44

Resolved, That at any time after the adoption of this resolution it shall be in order to consider in the House the concurrent resolution (H. Con. Res. 17) relating to the treatment of Social Security under any constitutional amendment requiring a balanced budget, if called up by the majority leader or his designee. The concurrent resolution shall be debatable for one hour equally divided and controlled by the majority leader and the minority leader or their designees. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion.

SEC. 2. At any time after the disposition of the concurrent resolution made in order by the first section of this resolution, the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States. The first reading of the joint resolution shall be dispensed with. Points of order against consideration of the joint resolution for failure to comply with

clause 2(g)(3) of rule XI are waived. General debate shall be confined to the joint resolution and shall not exceed three hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the joint resolution shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the joint resolution shall be considered as read, shall be debatable for one hour equally divided and controlled by Representative Barton of Texas and an opponent, and shall not be subject to amendment while pending. No further amendment shall be in order except those designated in section 3 of this resolution. Each amendment may be offered only in the order designated, may be offered only by the named proponent or a designee, may be considered notwithstanding the adoption of a previous amendment in the nature of a substitute, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. If more than one amendment is adopted, then only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted, except that if the amendment in the nature of a substitute recommended by the Committee on the Judiciary is one of the amendments receiving the greater number of votes then it shall be the amendment considered as finally adopted. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. The further amendments that may be offered after disposition of the amendment in the nature of a substitute recommended by the Committee on the Judiciary are those printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII with the following designations: (a) the amendment numbered 4 by Representative Owens of New York; (b) the amendment numbered 1 by Representative Wise of West Virginia; (c) the amendment numbered 25 by Representative Conyers of Michigan; (d) the amendment numbered 29 by Representative Gephardt of Missouri; and (e) the amendment numbered 39 by Representative Schaefer of Colorado.

□ 1240

The SPEAKER pro tempore (Mrs. JOHNSON of Connecticut). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the very distinguished gentleman from Massachusetts [Mr. MOAKLEY] pending which I yield myself such time as I may consume.

During consideration of this resolution, all time is yielded for the purpose of debate only.

(Mr. SOLOMON asked and was given permission to extend his remarks and include extraneous material.)

Mr. SOLOMON. Madam Speaker, today we begin consideration of what

may well be the most important matter this Congress will consider over the next 2 years, a balanced budget constitutional amendment. In order to make it perfectly clear right up front that the budget is not to be balanced by cutting Social Security, this rule first makes in order a resolution designed to protect Social Security.

The concurrent resolution directs the committees which will be proposing legislation to implement the requirement for a balanced budget to leave Social Security alone.

The concurrent resolution will be debated for 1 hour, and then the House will vote on that issue.

Next, the rule provides the most open and the most fair process that has ever been used by this House to consider a balanced budget amendment.

The record shows that very clearly.

The rule provides 3 hours of general debate on the balanced budget amendment. After general debate, the rule provides first for a vote on the committee amendment in the nature of a substitute. This is the Barton version of the balanced budget constitutional amendment. It the version which includes the requirement for a three-fifths' vote to increase tax revenues; it is this version that I strongly support.

We need to balance the budget, but we need to do it without making it easy to raise taxes. That really is what this debate is all about. After the vote on the committee substitute, there will then be votes on the five additional substitutes, four of which are to be offered by the Democrats.

This process is much more fair to the minority than at any other time the House has considered a balanced budget amendment. Each of the six substitutes will be debated for 1 hour, with a separate vote taken on each one. And the one that receives the most votes is the version that will be put to a final vote; that is, requiring a two-thirds majority, or 290 votes, to pass.

Finally, the rule provides a motion to recommit, which will give the minority one final chance to offer any amendment which complies with the standing rules of the House.

Mr. Speaker, the numbers of the national debt in this Nation have grown so large that they have become difficult for most of us to really comprehend, even those here, those of us who deal with it every day, much less the American people.

Madam Speaker, the Federal debt has tripled during the last 10 fiscal years to almost \$5 trillion in accumulated debt.

How much debt is that? It is just almost incomprehensible. It is a thousand billion dollars, not a thousand million dollars but a thousand billion dollars five times over. That is how much the accumulated debt is in this country.

The interest alone is projected at \$235 billion for the current fiscal year. That is almost as much as we spend on the national defense of this country, which is the primary reason we formed this

Republic of States in the first place, to provide for a common defense.

Here we are spending just on the interest alone \$235 billion this year. And if interest rates rise, heaven help us. But even if they do not, in just 4 or 5 years the interest we pay out annually to foreign countries, like the Netherlands and Great Britain and other countries that hold our national debt, the interest will rise to \$400 billion a year. What are we going to do to help people who are truly in need then, when all the money is going out either for national defense or just to pay the interest on the annual debt service?

Madam Speaker and Members, the deficit for this year is projected at \$176 billion, and that is underestimated. Next year it is projected to rise to \$207 billion, and that is underestimated. And by the year 2000 it is projected to be almost \$300 billion unless we do something about it. That is in spite of that huge tax increase in 1990 under President Bush and that huge tax increase in 1992 under President Clinton. We are still running debts annually of \$300 billion. What is going on around here?

Madam Speaker, the first step we can take is enacting a real balanced budget amendment.

Now, you have heard these 1-minute speeches here today. The opponents of these constitutional amendments will say that amendments are not necessary because Congress can control the problem any time it wants. That is a true statement.

Well, let me just tell you this: In the last Congress I offered an alternative, and here it is right here. I offered an alternative budget resolution which would have reduced the deficit to zero in just 5 years, and listen to this: Without raising taxes, without cutting Social Security, and without cutting contractual obligations to our veterans.

We balanced the budget and are left with an \$8 billion surplus at the end of 5 years. Let me tell you something: That budget provided for tough spending cuts. It included language saying if Congress did not like the specific spending cuts that are in there—and they are specific and scored by the Congressional Budget Office—Congress could do whatever it wanted. Congress could always substitute those cuts for others. That is what we are going to have to be doing after we enact this constitutional amendment.

But was that adopted? No, this budget was not passed, not on your life. It only got 73 votes; 55 or 56 Republicans and 17 Democrats.

Madam Speaker and Members, we have come to a point where those of us who care about our children and care about our grandchildren—and I have 4 grandchildren, along with 5 children—we are going to have to take a very serious step to put an end to the irresponsible deficit spending that we have been talking about here this morning

and which is drowning this country in a sea of red ink. And it is totally, totally irresponsible. A balanced budget amendment will do just that.

Madam Speaker and Members, no one proposes that such a solution be taken lightly. The problem requires drastic action, and the time is now, it is right now today. The longer we wait the deeper in debt this Nation will be and the more difficult it will be to get out of it. It is almost too late now.

Madam Speaker, Congress has repeatedly shown that it is not prepared to deal responsibly with the problems without some kind of a prod. The enactment of a balanced budget amendment will help to give Congress—and this is the point—it will help to give Congress that prod, that spine, that backbone and, for some who need it, the excuse to do what the American people have to do, and that is to live within our means.

I urge you to vote "yes" for this rule and then for the American people, please vote for the balanced budget amendment. Let us give it to the people to let them ratify it.

Madam Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank my good friend from New York, Mr. SOLOMON, for yielding me the customary 30 minutes.

Madam Speaker, I rise in strong opposition to this very closed rule.

Madam Speaker, I am hearing a lot of double talk these days, especially around the word "open." When my Republican colleagues were in the minority, they said that nearly every rule we granted was closed, including rules that provided for time caps and required amendments to be printed in the RECORD. But now that they are in the majority, Republican Members have changed the meaning of the word "open" 180 degrees.

Now a rule that cuts off debate, restricts amendments and refuses to allow Members to work together as the President urged us last night is not just called an open rule but a most open rule. I do not know what that means.

Madam Speaker, Republican flipflops are enough to give a weather vane whiplash.

I have heard my colleagues compare this rule to other balanced budget rules, but what they do not tell you and they do not tell the American people is that every one of the balanced budget rules is the result of either a discharge petition or reported to preempt discharge, and closely imitated the discharge rule.

What they do not say is that I opposed those rules too because they were too restrictive. Check the record.

The last time the discharge rule allowed only the amendments that were made in order the Congress before, I led the opposition because I knew that new

Members and other people had new ideas on the topic and were being stifled. Unlike my Republican colleagues, my position has been consistent.

Madam Speaker, the Republicans would have us believe that constitutional amendments must be considered under a gag rule, that they always are considered under a gag rule. I would like to take this opportunity to say to the American people that this is not true.

□ 1250

In fact, constitutional amendments are usually considered in the Committee of the Whole under an open rule. This tradition, Madam Speaker, began in the very first session of the First Congress when the Bill of Rights was considered. People offered amendments, including perfecting amendments. Some were accepted, some were rejected, and none of them were printed in advance in the RECORD. If an open rule worked for the first 10 amendments to the U.S. Constitution, Madam Speaker, if an open rule worked for our Founding Fathers, it should work for us here today with the balanced budget amendment.

Over the past 30 years, Madam Speaker, every single rule reported from the Committee on Rules on a constitutional amendment has been an open rule except those that arrived as a result of a discharge petition or rules designed to preempt discharge. I am talking about rules for amendments dealing with Presidential succession, direct election of the President, granting the vote for 18-year-olds, the Equal Rights Amendment, D.C. congressional representation, and let me repeat, Madam Speaker:

Every one of those rules were open.

But today things have changed. I ask my colleagues to look at what has been excluded by what the Republicans call a most open rule. Look at the new ideas denied debate:

A bipartisan substitute on unfunded mandates; a substitute offered by the gentleman from Alabama [Mr. HILLIARD] protecting civil rights legislation; a substitute offered by the gentleman from Wisconsin [Mr. OBEY] excluding Social Security and allowing Congress to waive the requirements in case of a recession; a substitute offered by the gentleman from Arkansas [Mr. THORNTON] excluding capital investments providing long-term economic returns; a substitute offered by the gentleman from Colorado [Mr. SKAGGS] on judicial review; a substitute offered by the gentleman from Pennsylvania [Mr. FOGLIETTA] requiring a three-fifths vote to reduce funding for low income health, education and employment programs; an amendment offered by the gentleman from Pennsylvania [Mr. FATTAH] on natural disasters; amendments offered by the gentleman from New York [Mr. NADLER] clarifying the phrase "increasing tax revenues; an idea offered by the gentleman from

Utah [Mr. ORTON] to use sequestration to bring us back to balance.

Madam Speaker, the list goes on, and on, and on.

Let me tell my colleagues all is not lost. There is a chance really to fix this rule. If we defeat the previous question, I will then offer a germane amendment to the rule that will be an open rule and will give us an opportunity to consider a truth-in-budgeting perfecting amendment.

In closing I urge all my Members to vote no on the previous question and then vote yes on the amendment to consider balanced budget under an open rule and to allow the truth-in-budgeting perfecting amendment.

Madam Speaker, I reserve the balance of my time.

Mr. SOLOMON. Madam Speaker, I yield myself 30 seconds to respond to the gentleman from Massachusetts [Mr. MOAKLEY] my good friend.

As my good friend knows, A Democrat Member on his side of the aisle had a balanced budget amendment pending before our Committee on Rules in both the 102d and 103d Congresses, and our committee deliberately stalled it and never let it come to the floor.

Madam Speaker, I yield such time as he may consume to the very fine gentleman from Kingsport, TN [Mr. QUILLEN], the chairman emeritus of the Committee on Rules.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Madam Speaker, in my 32 years here in this House, I have always tried to be helpful in passing a constitutional budget amendment. I think it is absolutely necessary that we act today favorably, and that we pass this constitutional amendment without any delay. The people of this Nation demand it, the majority of this House demands it, and I think the majority of the States will ratify it, not only the majority in total, but the majority required. Some of the 50 States today have some kind of a balanced budget amendment, meaning that they cannot spend any more than they take in.

Madam Speaker, Tennessee is a good example of that. We have had it for years, and it works. The Federal Government should have it, and it will work. We should give it a try, and today is the day that we are going to do just that.

I commend the members of the Committee on Rules in the majority for bringing this to the floor of the House, and I know that these amendments, which will be discussed in full, embrace all of the ideas that were introduced that the gentleman from Massachusetts [Mr. MOAKLEY] alluded to. I know that we will have an opportunity to discuss those issues, and in the end I certainly hope that this House will act responsibly and favorably and pass this constitutional budget amendment without delay.

Mr. MOAKLEY. Madam Speaker, I yield 6 minutes to the gentleman from Michigan [Mr. BONIOR], the minority whip of the Democrat Party.

Mr. BONIOR. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY], my friend, for yielding this time to me, and I thank my colleagues on the Committee on Rules and on the other side of the aisle for the good work they have done so far this year.

Madam Speaker, the American people have a right to know how we are going to balance the budget, and they are not going to be fooled by fig leaves. They are not going to be distracted by simple solutions. As my colleagues know, in a poll that was released just yesterday, 86 percent of the American people said that Republicans should specify what they intend to cut before passing a balanced budget amendment, and in the President's State of the Union Address that night one idea that went off the charts was the idea that we should be honest with the American people and spell out exactly what is going to be cut to balance the budget.

I say to my colleagues:

"Now the question isn't whether or not you support a balanced budget. The question is, and always has been, how do you intend to get there?"

Now balancing the budget is going to require a mammoth cut totaling over \$1.2 trillion. This will affect every man, every woman, every child in this country for years to come. The American people have a right to know:

"How are you going to get there?"

"How much are you going to cut from Social Security?"

"How much are you going to cut from Medicare?"

"How much are you going to cut from student loans?"

"How much are you going to cut from veterans' benefits?"

Madam Speaker, the American people want to know.

My friend, Madam Speaker, the gentleman from New York [Mr. SOLOMON], just went like this, and we are not going to cut anything. But then he offered a substitute on the budget just last year, let me tell my colleagues what he did cut:

He wanted to eliminate all ag subsidies except for dairy, he wanted 50 percent cut in job training, and he had \$140 billion over 5 years cut in Medicare. I say to the gentleman, "We need to know what you're about doing with this balanced budget amendment."

Mr. SOLOMON. Madam Speaker, will the gentleman yield?

Mr. BONIOR. I will when I finish with my statement.

Now, Republicans say it is unreasonable, unreasonable to ask us where these cuts are going to come from. Madam Speaker, I guess I was brought up under a different set of rules. I was taught if I were going to do something, I ought to have the guts to say how I am going to do it.

I say to my colleagues, "It's cowardly to say that you're for a balanced budget and then to leave it to future Congresses to figure out how that budget is going to be reached. It's like something a retired auto worker in my district once told me. He said, 'Think about this in common sense terms.' He said, 'I wouldn't sign a mortgage without first knowing how much the monthly payments are going to be. I wouldn't like a mechanic to do major work on my car without first getting an estimate on what the repair bill is going to be.' So he said, 'I don't see why it's so unreasonable to say that before we have a constitutional amendment to require a balanced budget, we first have some idea how that budget will be balanced.'"

Madam Speaker, I know the majority leader says that, if the American people saw the details, that our knees would buckle. Well, I say to my colleagues, "I would guess that, if your bank gave an estimate on your monthly mortgage payments that would cause your knees to buckle, you might think twice about buying that home."

We all know what is going on here. We all know why knees would buckle. My colleagues do not want to come clean with the American people because they do not want them to know the truth, and the truth is they are going to slash Social Security, they are going to slash Medicare, they are going to slash veterans' benefits, they are going to pick the pockets of our seniors and balance the budget on the backs of senior citizens and children because that is what the Republicans have done traditionally, and if that is not true, if I am wrong, then show us it is not true. I say to my colleagues, "Show us your hand. Show us how you intend to balance the budget."

Each and every one of these substitutes that we have before us today and tomorrow should be forced to reveal exactly what cuts they intend to make to balance the budget.

□ 1300

Madam Speaker, they way this rule is written right now, that is not the case. I urge my colleagues to defeat the previous question and let us bring an open rule that applies a truth test to every substitute that is before us today. The American people deserve better than what I think this gutless bill we have before us now provides. They want to know, and they deserve to know, the truth.

I think, Madam Speaker, it is way past time that we gave it to them.

Mr. DIAZ-BALART. Madam Speaker, I yield 3½ minutes to the gentleman from Florida [Mr. GOSS], a very distinguished member of the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Madam Speaker, I thank my distinguished colleague, the gentleman from Florida [Mr. DIAZ-

BALART], for yielding me this time, and I congratulate the chairman of the Committee on Rules for revealing the true specific plan to achieve a balanced budget, showing that it can be done.

Madam Speaker, on November 8 of last year, the American people elected us to fulfill a contract. That contract includes allowing a vote on a balanced budget amendment to the Constitution. And not just any balanced budget amendment, but specifically one that would permanently protect the American taxpayer from further unwarranted tax hikes—tax hikes like the one in President Clinton's 1993 reconciliation—that come in the name of deficit reduction. The American people signaled on November 8 that they want us to vote on the Barton amendment, and to require a three-fifths supermajority to raise taxes. And that's what we will do here today—as promised. Today's modified open rule is fair. It provides guidance to navigate through the 44 substitutes offered—including many overlapping proposals—by bringing forward four Democrat substitutes and one bipartisan alternative. There was ongoing consultation with the minority, and the minority leader was given the opportunity to designate priority amendments. There is some merit in all of the proposals—notably the Schaefer substitute, which offers a well-known balanced budget amendment that this House has come close to adopting several times in the past. But make no mistake, this debate focuses on the version of the balanced budget amendment that Americans said they wanted, the one included in the Contract With America. Some in this minority will no doubt complain that one or another specific proposal is left out of the process. But the American people understand that this debate should focus on the big ideas—and we won't be sidetracked by those who oppose balancing the budget and are using every excuse to slow down passage of the balanced budget amendment. American's did not vote for delay—they voted for action—now.

Madam Speaker, as a member of the bipartisan Commission on Entitlement Reform and as a Representative from Florida, I am quite familiar—if not acutely aware—with the situation facing Social Security. According to all the experts, the Social Security trust fund will continue to run a surplus until at least 2012—and it is not expected to add to the deficit until 2029. The idea that passage now of the balanced budget amendment will mean immediate and drastic cuts in Social Security benefits is a scare tactic pure and simple. That is just not the truth. In fact, as demonstrated by the Entitlement Commission findings, the greatest threat to Social Security comes from our annual red ink and mounting debt—if allowed to continue, interest payments on the debt alone could eventually squeeze all other programs—Social Security included—out

of the picture. Make no mistake, Social Security is off-budget, and it will stay that way. The Flanagan resolution—House Concurrent Resolution 17—made in order under the rule, shows our firm resolve in this respect. The situation is serious: We are currently in debt to the tune of \$4.6 trillion, a figure that continues to grow by over \$200 billion a year. Madam Speaker, in light of this I was startled to hear the ranking minority member of the Judiciary Committee testify to the Rules Committee that the national debt is currently being reduced. I'm not sure how he arrives at this, since every year that we run a deficit, we add to our national debt. Surely the minority is not advocating still bigger debt for our children to bear. In closing I urge my colleagues to support the rule and the Barton amendment.

Mr. MOAKLEY. Madam Speaker, I yield 4 minutes to the gentleman from California [Mr. BEILENSON].

(Mr. BEILENSON asked and was given permission to extend his remarks.)

Mr. BEILENSON. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY], former chairman of the Rules Committee, and our ranking member, who has so ably helped us protect the rights of the minority and the citizens of our country through his work on this committee. I thank the gentleman very much for yielding me this time.

Madam Speaker, this is certainly not the open rule that we had been promised, and while it is not entirely closed, we are all disappointed in the restrictive nature of this resolution for the consideration of a measure so momentous as an amendment to the Constitution of the United States.

As has been well noted by the gentleman from Massachusetts [Mr. MOAKLEY], the history of the manner in which constitutional amendments have been considered, clearly shows that the use of the open rule is the wisest approach, and the one that appears to have been most often used when the threat of a discharge petition was not pending, as is currently the case.

Even more disappointing, under this rule no perfecting amendments are allowed. If even a few of the proposed perfecting amendments had been made in order, we could have accommodated most of the major concerns about the legislation, and given Members of the House a chance to express their feelings on a number of very important additional issues—issues which are precluded from considering under this proposed rule.

This is an immensely significant matter that we are dealing with, and we should do everything in our power to ensure that we take this step—if, in fact, we are going to do it—as carefully, and as thoughtfully, as possible.

There clearly were a handful of very fundamental and important issues that should have been allowed to be considered as perfecting amendments, such as

one to consider alone the three-fifths requirement to increase tax revenue—a perfecting amendment proposed by Mr. VOLKMER—and another to require truth in budgeting proposed by the gentleman from Michigan [Mr. CONYERS].

In addition, several substitutes that were not made in order would have provided us with the opportunity to further improve the final product of this debate.

I refer particularly to the substitute offered by the gentleman from Arkansas [Mr. THORNTON], which sought to define capital budgets by going beyond investments for physical infrastructure alone, to include also investments in developmental capital such as education and training.

We should also have been allowed to consider, either as a perfecting amendment or as a substitute, the suggestion of the gentleman from Ohio [Mr. HOKE] for keeping the minutiae and complexity of changes in the budget process itself out of the Constitution, allowing it to be handled separately as legislation, and thus providing us with a choice for a simpler constitutional amendment.

And, the gentleman from Colorado [Mr. SKAGGS] offered several good proposals, including one that would allow Congress to approve an unbalanced budget during a time of national security emergency, short of a declaration of war, which is required in the pending proposal.

This rule, unfortunately, does not give us that opportunity, and it should be rejected.

Madam Speaker, through the course of this debate, however, I hope that it will become abundantly clear why the House should not give final approval to any of the alternative versions of this legislation.

As a longstanding proponent of eliminating Federal budget deficits, and as a Member who has acted to achieve that result by supporting and voting for many, many unpopular measures to reduce deficits over the past dozen years, I share the feelings of frustration which have led most of our colleagues to conclude that amending our Constitution is our only hope for solving the Federal Government's persistent budget deficit problem.

The enormous deficits the Government has run for the last decade and a half are, without a doubt, the leading policy and political failure of our generation. By running huge deficits, we have produced a soaring debt which requires that we spend 14 percent of annual Federal budgets on interest payments. We have done a grave disservice to future generations of Americans who will be saddled with that debt; and we have damaged our Nation's economic prospects by allowing the debt to consume more than \$200 billion a year that could otherwise be used for much-needed investment, in both the private and public sectors.

These huge deficits, and the debt they create, are also a large part of the reason why voters are angry at Congress and why so many feel that our political process just does not work.

But the solution to the deficit problem is not to amend the Constitution; writing a balanced budget requirement into our Constitution does nothing in and of itself to bring revenues and

spending into balance. The solution is to act to cut spending and, if necessary, raise taxes. That is what the President and Congress did successfully in 1993, and that is what we should do this year and in the years ahead until the Federal budget is finally balanced.

Voting for a constitutional amendment to balance the budget is easy; it does not require cutting any spending program or raising anyone's taxes. It sounds good, and it allows us to say that we are for balanced budgets. But the truth is, it is bad policy.

Passing a constitutional amendment to balance the budget would give Congress an excuse not to reduce the deficit until the year 2002. It would allow us to say that we have done something about the deficit when, in fact, we will have done nothing real about it.

In fact, if the House and Senate approve any of these proposals, what we will have done is relegate the responsibility for deciding Federal budget policy to the States. They will have to debate whether they want to ratify this amendment; they will have to decide if Congress is capable of bringing Federal revenues and spending into balance; they will have to guess how Congress is likely to act in response to a balanced budget requirement. At a time when we are trying to reach out and improve relationships with our counterparts at the State level, passing this amendment will undermine all of our efforts to come to terms with which responsibilities to our citizens should be handled at the Federal level, and which by the States.

I believe that it is highly unlikely that three quarters of our States will ratify any version of this constitutional amendment. They know that if the Federal Government is under a balanced budget requirement, they are likely to face deep cuts in Federal aid—cuts which will require them to make substantial cuts in spending or to raise taxes at a time when most of them already face that unpalatable choice.

Moreover, States will realize that the balanced budget requirement for the Federal Government will be far more onerous than those that the States themselves operate under. Most States require a balanced operating budget, but allow borrowing for capital spending. To the extent that they are able to categorize spending as part of their capital budget, they are able to borrow extensively. Unless the substitute offered by Mr. WISE is adopted, there will be no such distinction for the Federal budget.

But if, in fact, enough States ratified the amendment, Congress would undoubtedly go to great lengths to find ways not to comply with it. Recall what happened under the Gramm-Rudman-Hollings Act, which Congress passed in 1985; when the President and Congress operated under a requirement to reduce deficits to specified levels each year and produce a balanced budget within 5 years, we did everything possible to circumvent the requirement and avoid hard choices. We used unrealistic economic assumptions to produce inflated estimates of revenues, we moved programs off budget, and we delayed payments into future years. When we ran out of creative bookkeeping methods, we changed the deficit-reduction requirements and, finally, abandoned the requirements altogether.

Just as our inability to comply with Gramm-Rudman-Hollings in an honest way fueled public cynicism toward Congress, so too

would our almost-certain response to a constitutional requirement to balance the budget.

The reason that Congress would try to find ways to avoid complying with a balanced budget requirement is the same reason we did not comply with Gramm-Rudman-Hollings, and the same reason we are not voting to balance the budget right now: there is no political support for the deep program cuts and large tax increases that would be required to bring spending and revenues into balance. We may agree, in the abstract, that want to balance the budget, but we also realize that the draconian spending cuts required—if the budget is balanced through spending cuts alone—are not supported by most Americans.

A constitutional requirement to balance the budget is not going to suddenly give us the political support and the political will to cut spending cuts and raise taxes. In fact, I would point out that many of the Members of the House who are most enthusiastic about a constitutional amendment to balance the budget are the same Members who are equally, if not more, enthusiastic about cutting taxes. And, not surprisingly, they are finding themselves unable to develop a plan to show how we can produce a balanced budget by the year 2002.

Even if all tax-cut proposals were abandoned, Congress would need to cut spending or raise taxes from projected levels by more than \$1 trillion between now and 2002 to balance the budget. There is no doubt in my mind that if we were voting on an amendment which also contained the actual measures—the spending cuts and tax increases—which would balance the budget by 2002, there would be very few votes for it.

There is another reason we ought not to enshrine a balanced budget requirement in the Constitution: A balanced budget is not always good economic policy. A requirement that would force Congress to cut spending or raise taxes in the middle of a recession could be disastrous for our economy. We need flexibility in Federal budget policy to counter the swings in the economy and the negative effects they cause. Some of the alternatives before us would allow Congress to override a balanced budget requirement by majority vote; but, if that is the case, what is the purpose of such a constitutional amendment?

On the other hand, the alternative proposed by Representative STENHOLM anticipates the possible need for deficit spending by allowing expenditures to exceed revenues if three-fifths of both Houses of Congress vote to approve deficit spending. That provision, however, would enable a minority of Members—whether partisan, regional, ideological, or otherwise—to control the outcome of a decision on this matter, just as the Barton alternative, requiring a three-fifths vote to raise taxes, would do on that question.

By giving minorities in both Chambers the power to demand concessions in return for their votes—and the power to veto, in effect, legislation supported by a majority of Members—this provision would make it extraordinarily difficult for Congress to govern. It would severely constrain Congress in its ability to respond effectively, and in a way supported by a majority of Americans, to the problems facing our Nation.

Finally, we have little understanding of how a constitutional amendment requiring a balanced budget would be enforced—what would happen if Congress failed to match revenues

and spending. It is not clear whether the President or the courts will enforce this—or whether it could be enforced at all. If the resolution of a budget imbalance is left to the courts, it would put unelected Federal judges in the position of deciding our Nation's fiscal policy.

Mr. Speaker, for all of these reasons, the proposals before us to amend the Constitution to require a balanced budget should be rejected, and the rule before us, as I said at the beginning of my statement, should be rejected as well. Let us resolve, instead, to build on the work we began last Congress when we enacted legislation that is, in fact, reducing deficits by half a trillion dollars over 5 years.

Ms. PRYCE. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Claremont, CA [Mr. DREIER], a member of the committee.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I would like to begin by thanking my friend, the gentlewoman from Columbus, OH [Ms. PRYCE] for yielding me this time, and I rise to congratulate the gentlewoman as well as the gentlewoman from Utah [Mrs. WALDHOLTZ], the gentleman from Florida [Mr. DIAZ-BALART], and the other new members of the Rules Committee for the superb work they are doing, joining the force of SOLOMON, QUILLEN, GOSS, and so forth.

Let me say that on this issue of the balanced budget amendment, it is fascinating to listen to the arguments that are being made in opposition to this rule by a number of my friends. I think it is important for us to take an historical perspective in looking at this issue.

□ 1310

I know my friend, the gentleman from Florida [Mr. GOSS], raised a number of these points. But it is worth noting that over the past 14 years, we have seen the balanced budget amendment brought up to the House floor on four different occasions. Never once, never once did the Committee on Rules report out a rule that provided the wide range of options that are being provided under this rule.

The other thing, there was a fascinating argument made upstairs, and my friend, the gentlewoman from Colorado [Ms. SCHROEDER], raised great concern about this. The Committee on the Judiciary only had an 8-hour markup on this measure when they met. In previous Congresses, they did not allow 8 minutes of markup, much less 8 hours. So to argue that there was not an opportunity for wide ranging debate in this markup is preposterous.

I think when we listen to the overwhelming hue and cry that has come from across this country to balance the budget, we have the President who spoke here last night, and most of us concluded that it was not the President's finest hour. In fact, it was not the President's finest 2 hours here last night. It seems to me that we need to note that they are all calling for us to

immediately provide a list of exactly how we plan to balance the budget.

Well, I say to my friends on the other side of the aisle, they are well aware of the way the budget process works. We have a Committee on the Budget. The responsibility for outlining those things lies with that committee, not with a particular piece of legislation like this amendment.

Clearly we know that we have the responsibility to bring those proposed cuts forward, and it is going to be done under the standing rules of this House, something which tragically in the past have been ignored, but something which we are doing our darnedest to stick to just as well as we possibly can.

I also am concerned about the fact that behavior in the past has seen the other side use that ridiculous king-of-the-hill procedure, whereby the last standing measure, the last one voted on, even though it may not have gotten the greatest number of votes in the House, is carried. We have modified that so-called king-of-the-hill procedure so that the provision which has the highest number of votes will be the one that carries. It seems to me that we need to realize that we are, were the deliberative process, bringing this forward in a fair way, and I urge my colleagues to support this balanced approach to the balanced budget amendment.

Mr. MOAKLEY. Madam Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Madam Speaker, I too rise in opposition to this rule. My colleagues on the other side of the aisle claim that this rule is some sort of move toward openness. But let us look at what the rule actually does.

This is a closed rule. The Committee on Rules received 44 requests for amendments from Members of this body, yet only 5 were made in order, in addition to the committee substitute.

Debate is choked off on many, many issues that directly affect the American people. People want to know what the programs are that will be cut under this amendment. Will they lose their Social Security, what is going to happen to Medicare, what about programs like disaster relief, education benefits, or crime prevention? How much are we going to have to cut defense?

I have part of one of the largest air bases in the world in my district. What is going to happen to that air base under this particular amendment?

We need to be fair and up front with ourselves and with the American people. Therefore, I am going to vote against the previous question, which allows us to bring up a resolution known as the truth-in-budgeting resolution. This resolution simply requires us tell the American people what programs will be cut in order to achieve a balanced budget.

I do not think that is too much to ask. I am particularly concerned with the effects of this balanced budget

amendment on some of our successful antipoverty programs. According to the Children's Defense Fund, a balanced budget amendment could result in approximately 7.6 million children losing school lunches, 6.6 million children losing Head Start opportunities, and 231,000 blind and disabled children losing basic income supports through SSI. And the list goes on and on.

There is no doubt that balancing the budget requires tough cuts and very difficult choices. But that debate should take place in an open forum, truthfully, and up front.

I offered a number of amendments to the rule yesterday in the Committee on Rules, allowing Members' ideas to be brought to the floor and debated. Those amendments had to do with Social Security, taxes, low-income programs, civil and human rights and the disabled. They were defeated every time by a partisan vote.

Let us really show the public we can have an open and fair debate. Vote against the previous question, and vote "no" on this closed rule.

Ms. PRYCE. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, today marks another historic day in the life of the 104th Congress as the new Republican majority continues working to fulfill its promises to the American people. On opening day, we adopted a sweeping set of congressional reforms to make the House more open, efficient, and accountable. Last week, we overwhelmingly approved a long-overdue measure to bring this institution into compliance with the same laws it imposes on the rest of society.

Last Thursday, as part of our plan to reduce the burden of Federal regulations, we began debate on discouraging the practice of imposing costly, unfunded, Federal mandates on States, local governments, and the private sector. And today, as we proudly begin debate on this historic rule, the House moves one step closer toward adopting a constitutional balanced budget amendment, the very cornerstone of our contract's plan to restore fiscal sanity to the congressional budget process.

Madam Speaker, Congress can and should balance the budget without being forced to do so. But the fact remains, it hasn't. And with a Federal debt nearing \$5 trillion and budget deficits in 33 of the past 34 years, it is clear that Congress is unable to solve the Nation's fiscal crisis entirely on its own. Some Members just don't have the stomach or the desire to make the tough decisions.

The time has finally come to give constitutional expression to a policy practiced by thousands of families and businesses across America every day: learning to live within our means. Without constitutional constraints to deficit spending, future generations of Americans will be forced to bear the costs of our excesses. We should be

ashamed to leave this legacy to our children and grandchildren.

Madam Speaker, let me say that I fully appreciate the seriousness of this legislation. And the rule which we have recommended is abundantly fair as it allows the House to consider six different versions of the balanced budget amendment, four sponsored by Democrat Members, one by Republicans, and one bipartisan proposal.

The fact that the House will soon consider a balanced budget amendment just 3 weeks after opening day is proof positive that the new Republican majority is serious about keeping its promises to the American people. I congratulate Chairman SOLOMON and the leadership for bringing this fair rule to the floor today. In terms of fairness it is light years ahead of what we've seen in Congresses past. I strongly urge its adoption by the House.

Mr. MOAKLEY. Madam Speaker I yield myself such time as I may consume.

Madam Speaker, I would like to read a statement: "With every closed rule, millions of voters are disenfranchised when their duly elected representatives are prevented from offering relevant amendments to bills we consider."

These are the words stated by the gentlewoman from Ohio [Ms. PRYCE] at a press conference held by the Rules task force on April 23, 1993.

Madam Speaker, I yield 3 minutes to the gentleman from Texas [Mr. FROST].

Mr. FROST. Madam Speaker, for some time I have been a supporter of a balanced budget amendment to the U.S. Constitution. In the 16 years I have served in this body, I have seen the public debt triple to well over \$4 trillion and have watched as the Congress has struggled to bring the Federal budget and the deficit under control. Until recently, we in the Congress, working with Presidents both Republican and Democratic, have had only limited success in curbing the spiraling growth of Government spending. Thanks to the policies instituted in the last Congress, we are now witnessing a steady downward path of the deficit, but I remain convinced that stronger measures are called for if we are to finally, once and for all, bring the budget of this Nation into balance. And, for that reason, I will support passage of a constitutional amendment when the House votes tomorrow.

However, Madam Speaker, in spite of my record of support for just such a constitutional amendment, I must rise in opposition to this rule. My Republican colleagues made a number of points yesterday during our markup of this rule saying that it provides for the consideration of more options than have been considered in the past few years.

□ 1320

But I would like to clarify a point. In the past the rules providing for consideration of balanced budget constitutional amendments have not been re-

ported from the Committee on Rules. Rather, they have been considered by discharge petition or the Committee on Rules has simply reported a rule tracking the provisions of a discharge petition about to reach the floor, thereby limiting the terms of debate.

My Republican colleagues will respond by saying this rule provides for the most free and open debate ever granted to a constitutional amendment to balance the budget. But I would like to say that this rule does not really provide for the free and open debate promised by Republican candidates for election to the 104th Congress. This rule reported by the Republican majority has limited the opportunities for Members to express their views on how to bring about fiscal restraint. The chairman notified the Members of the House that the committee might limit the consideration of amendments to those printed in the CONGRESSIONAL RECORD last Friday as well as to those amendments submitted in the form of amendments in the nature of a substitute. Yet the Republican rule contains a provision providing for the consideration of a concurrent resolution which not one Democratic member of the committee saw until yesterday, just prior to our markup.

The Republican majority on the Committee on Rules recommended a rule that included consideration of five substitutes to the joint resolution. The Republican majority on the Committee on Rules rejected 23 amendments offered to the rule by the Democratic members of the committee during our markup. Not one single amendment was agreed to during the markup by the Republicans.

A variety of reasons were offered. Time constraints prevented additional debate on further amendments. The rule makes in order four Democratic alternatives as well as one bipartisan alternative. Debate in previous Congresses was far more restrictive.

Madam Speaker, I do not understand the need to limit debate.

Mr. SOLOMON. Madam Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentleman from New York.

Mr. SOLOMON. Madam Speaker, with all due respect, and the gentleman is one of the most respected Members of this House, in the Congresses that he has been here for 16 years, he has voted for every one of those restricted rules that far more restrict Members on both sides of the aisle.

Mr. FROST. Reclaiming my time, Madam Speaker, I point out to the chairman that his party ran on a platform of open rules. I know that this gentleman is sincere. I know that this gentleman intends to have open rules. But for some reason we did not have an open rule in this particular case.

For that reason, I must oppose the rule.

Mrs. WALDHOLTZ. Madam Speaker, I yield 2 minutes to the gentleman

from Miami, FL [Mr. DIAZ-BALART], a member of the committee.

Mr. DIAZ-BALART. Madam Speaker, as we debate this fair rule for consideration of this very important constitutional amendment, I ask the question: Why is there a very serious financial crisis in Mexico today that we are dealing with precisely in this Congress because of its worrisome effects? Because of lack of confidence by the international financial community on the ability of Mexico to pay on debt that will shortly be coming due. Investors will no longer buy bonds there due to uncertainty regarding whether they will be paid, whether those bonds will be paid when they mature. In other words, when they come due.

Now, if our own debt continues to increase indefinitely, even though, for example, even economists like Keynes, who believe in stimulation of the economy through deficit spending occasionally, he never, for example, supported permanent deficit spending.

If our debt would continue to grow indefinitely, \$4 trillion, \$5 trillion, \$6 trillion, \$7 trillion, theoretically, and then there would one day be doubt as to our creditworthiness, God forbid if that ever happened, who would bail us out, Madam Speaker? Who would bail us out? The International Monetary Fund? No, we pay more into the International Monetary Fund than anybody else? Germany, Saudi Arabia? Who would bail the United States of America out, Madam Speaker? Is it acceptable to depend on other countries to theoretically bail us out? No, it is not.

We must stand on our own for our children and for their children and their grandchildren, and we owe it to them to be able to stand on our own and maintain due to fiscal responsibility now and an end to fiscal irresponsibility, the economic security into the future that we require, that is why we need to pass this rule and this constitutional amendment.

Mr. MOAKLEY. Madam Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, I would like to put this debate in perspective for the American people. The Constitution empowers the Congress of the United States to balance the budget. But the Congress evidently cannot do that or does not want to do that anymore. So the Congress wants to empower the Constitution to balance the budget.

Now, Members would think by now Congress might have learned. It started out with Gramm-Latta, then it went to Gramm-Kemp, then it went to Gramm-Rudman. Now it is going to be Gramm-constitution in a 2-minute drill no less.

I say to the Congress, this is going to turn into Gramm-bankrupt. Because Congress has to balance the budget. And let us look at the facts. The Amer-

ican people are saying, OK, we gave the Republican Party the authority.

You are in charge. You want a balanced budget. You chair the committees. Bring out the balanced budget. We know you cannot do that with a \$300 billion deficit, \$5 trillion debt and \$300 billion of interest payments. But in 10 years from now the Constitution is going to balance the budget with \$7 trillion of national debt, \$500 billion in interest on that payment, but the Constitution is going to do it.

It is not the Constitution, Congress. It is the Tax Code. It is not the Constitution, Congress. It is the trade laws.

The President did not mention the \$153 billion record trade deficit yesterday and 20,000 jobs for every \$1 billion in deficit, that is 3 plus million jobs at \$30,000 a piece.

Congress should be wise to remember history. There was a popular saying during the depression by working people that said, Harding blew the whistle, Coolidge rang the bell, Hoover pulled the throttle, and all American jobs went to hell.

By the way, if Thomas Jefferson had a constitutional requirement to balance the budget, Thomas Jefferson would not have been able to consummate the Louisiana Purchase.

It is the Tax Code and trade policies, Congress. We are killing jobs. We are penalizing achievement. We are rewarding dependency, and we are insulting the intelligence of the American people.

Let me say this: No Hail Mary pass at the last minute to empower the Constitution to balance the budget is going to solve our problems. It is jobs. You will find them in our Tax Code and our trade laws. And why do we not start dealing with it.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, today we have an opportunity to prove that we hear the people's voice demanding real change in this Congress and could keep our commitment to them. As families sit down to plan their household budget, to pay the rent or the mortgage, to buy back-to-school clothes for the kids, or to repair the car, they want to know why Congress does not have to do what they have to do, balance their budget.

Families make priorities. They give up some things they would like to do for things they need to do. And as Congress moves to balance its budget, as we must do, we are going to have to make some difficult choices.

But I have great faith in the American people that not only do they expect us to make these decisions but they will support us in making these decisions if we work with them and talk with them and listen to them and spend their money wisely on things they value most.

We need to pass a balanced budget amendment to give this Congress the

fiscal discipline it has repeatedly proven it does not have.

The rule that we have reported provides for the most inclusive, open, honest debate on a balanced budget amendment in the history of the Congress.

Of critical importance, this rule will allow us to reaffirm, through Concurrent Resolution No. 17, our commitment to our seniors that we will not use Social Security to balance the budget.

□ 1330

Seniors will not pay the price for this Congress' past mistakes. The fearmongering by those less concerned about the peace of mind of our seniors than their own political agenda should end.

At the same time, Madam Speaker, this rule will allow us to protect our children by ending Congress' reprehensible habit of spending away their future. Madam Speaker, it is long past time to pass a balanced budget amendment, and this rule will allow us to do that. I urge my colleagues to join with me in keeping our word to the people who sent us here, and to support this rule and pass a balanced budget amendment.

Mr. MOAKLEY. Madam Speaker, I yield 1 minute and 20 seconds to the gentleman from Arkansas [Mr. THORNTON].

(Mr. THORNTON asked and was given permission to revise and extend his remarks.)

Mr. THORNTON. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY], the ranking member, for yielding time to me.

Truth in budgeting is important. It is important to know what programs will be cut and priorities will be protected.

Last night President Clinton told us of the heroic act of Jack Lucas and commended all veterans who are willing to risk their lives for us, and he said, "We owed them a debt we could never repay." He then challenged us, as we make cuts in Government spending, to remember our obligations to our children, parents, and others who have risked their lives by protecting education, Social Security, and Medicare, and veterans' benefits from those cuts.

Madam Speaker, my proposed amendment would have accomplished those goals. Last night, Madam Speaker, I was pleased that this suggestion received a standing ovation from both sides of the House, for these are truly nonpartisan goals.

That is why I am so puzzled by the Committee on Rules' decision not to allow a vote on this balanced budget amendment, which has bipartisan support and would accomplish all of these goals. I find it truly amazing that even though our veterans put their lives on the line in defense of our democracy, we are not allowed today to even have a vote on whether to honor our commitment to those who have risked their lives for our democracy.

Madam Speaker, I wanted to point out that truth in budgeting is important. We need to know where the cuts will fall.

The refusal to allow a vote to protect education, Social Security, Medicare, and veterans' benefits means that those benefits are fair game for the budget ax. We need an open rule so we can have truth in budgeting.

Mrs. WALDHOLTZ. Madam Speaker, I yield 2 minutes to the gentleman from Lakewood, CO [Mr. SCHAEFER].

(Mr. SCHAEFER asked and was given permission to revise and extend his remarks.)

Mr. SCHAEFER. Madam Speaker, I thank the gentlewoman for yielding time to me.

Madam Speaker, I rise in support of House Resolution 44. Madam Speaker, I want to commend the leadership and the Committee on Rules for putting together a rule that fulfills two items that, I believe, are the cornerstone of our party's Contract With America.

The first is an early vote on the balanced budget amendment, and for the first time ever, we have not had to resort to end-running a reluctant leadership for trying to get a balanced budget amendment on the floor. I think this rule does that.

It is the first item of business that brings up the contract version of the BBA sponsored by my good friend, the gentleman from Texas [Mr. BARTON]. I strongly urge every one of my colleagues to support the three-fifths tax limitation version of the amendment.

The rule also fulfills another cornerstone of the contract, and that is of open and fair rules. This carefully crafted rule ensures that we let the American people know who does and does not support tax limitation, while at the same time maximizing the likelihood that this body will send a balanced budget amendment to the States for ratification.

Mr. STENHOLM. Madam Speaker, will the gentleman yield?

Mr. SCHAEFER. I yield to my good friend and colleague, the gentleman from Texas [Mr. STENHOLM], who has worked long and hard on this issue.

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Madam Speaker, I rise in support of the rule today. While I had offered a suggestion for a little different kind of a rule, I believe on close analysis this is a fair rule for purposes of debating the relevant issues that will come before us today.

Madam Speaker, I would say, as one of the coauthors of the Schaefer-Stenholm amendment, to those who are concerned about Social Security benefits, education, and all of the other extremely important endeavors, there is nothing in our substitute that has anything to do with a negative effect on any of those issues. That will be brought out in general debate.

Madam Speaker, I rise in support of House Resolution 44 allowing for the consideration of

House Joint Resolution 1, as well as five substitute amendments to that language.

I want to commend the Republican leadership for its prompt consideration of this critical matter. As this body knows, it has taken herculean efforts on the part of many Members, both Democrat and Republican, to bring this issue to the floor during the last three Congresses. In each case, we filed discharge petitions to the rules allowing for the consideration of these matters. In each case, we crafted rules which granted a fair and open debate on the major contending approaches to amending the Constitution for purposes of requiring a balanced Federal budget. And in each case we, unfortunately, fell just short of the two-thirds support necessary for passage.

I am supporting this rule because I believe it allows for debate on those relevant issues of greatest concern to House Members. While I had suggested an alternative way to handle the rule which the committee did not adopt, I believe that this rule is fair and I am pleased, Chairman SOLOMON, to be able to support it today.

My great, great hope is that this year, at last, will be the final time to deliberate this issue. It is time for us to get the amendment behind us so that all of this energy can be focused, instead, on the actual process of achieving a balanced budget.

All of the hours my staff and I, not to mention so many others, have been required to put into this issue notwithstanding, I know that our forbears showed remarkable wisdom and foresight when they made it so difficult for us to amend the Constitution. This is no minor task we will be undertaking for the next 2 days.

When we Representatives take our oath of office, we swear to uphold the Constitution of the United States. That oath must not be taken lightly. This is no place for games-playing. It is no place for seeking political advantage. It is no place for irresponsible, short-sighted self-interest.

I hope that the remarks which fill the debate of the next 2 days, regardless of whether the speaker be favorably or negatively inclined toward the amendments, reflect the seriousness of our endeavor.

Because when these 2 days are over, regardless of the final outcome of these votes, we will find ourselves still facing the cancer of debt which is destroying the fiscal flesh and bones of our country. Regardless of whether you vote yea or nay on House Joint Resolution 1 or on any of the amendments, each individual Member must be willing to say, "This is what I did today to make our country a better place."

I appeal to both sides, let us deliberate this issue straightforwardly and honestly. Especially to the freshmen Members I would say, please evaluate this issue on its merits, not on its internal or external politics. There is no such thing as an easy vote on a constitutional amendment.

I come here prepared to work hard these next 2 days and my hope is that the hard work will pay off with 290 votes on final passage. But as I said last year at the beginning of this debate, come Friday I'll have the same gameplan whether the BBA wins or loses and whether the tax limit wins or loses. Regardless of how many votes there are, I'll be working hard for the rest of the year to chip away at our monstrous deficit. Next week I'll be work-

ing with PETER VISCLOSKEY to develop a revised enforcement implementation plan. This spring I'll be working with Chairman KASICH and Ranking Democrat SABO on the first installment of the 7-year glidepath to a balanced budget. Teaming up with JANE HARMAN and CHET EDWARDS, I will push for some of those budget process reforms that we believe will make a difference in the way business is done around here. Joining with DAVID MINGE, DAN MILLER, and other porkbusters I will seek to keep our appropriations bills clean and lean.

My wish is that even those who vote against the constitutional amendment—in fact, especially those who vote against a constitutional amendment—are ready to join me in saying, "This is what I did this Congress, this year, this day, to take the debt off of my children's shoulders."

Again, Madam Speaker, I urge my colleagues to support this rule and, subsequently, to support the balanced budget amendment.

Mr. SCHAEFER. Madam Speaker, I urge support of the rule.

Mr. MOAKLEY. Madam Speaker, I yield 1 minute to the gentleman from California [Mr. BECERRA].

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Madam Speaker, I rise to oppose the rule proposed for House Joint Resolution 1, the balanced budget amendment. I support balancing the Federal budget, but I believe, as an elected Representative of the people, that I owe them the responsibility and respect to tell them how I will do so. This balanced budget amendment does not do that.

The Republican leadership, as the new majority, made a commitment to procedural rules for open debate and fairness. But sadly, the rule before us now is closed. Closed.

I have an amendment that I would like to offer. It provides for rainy day funds for purposes of emergencies, natural disasters. But I cannot offer it on the floor of this House today, even though I think it is a very worthy amendment, especially for folks in California, where I am from, where we are suffering tremendously. We cannot do that. That is a closed rule.

Madam Speaker, we have to admit that we really have entered the world of Alice in Wonderland when Democrats end up fighting harder than Republicans to keep Republican promises.

It is time, Madam Speaker, that we try to do the people's work and give the people their day in court. It is a slap in the face to our constituents when we cannot even come up here and to propose amendments that are valuable and will affect the Nation's course of history, because we are talking about an amendment to the Constitution.

Madam Speaker, I urge everyone to vote against this rule.

Mr. SOLOMON. Madam Speaker, I yield 1½ minutes to the gentleman from Georgia [Mr. LINDER], a member of the Committee on Rules.

Mr. LINDER. Madam Speaker, this is an extraordinary day for those of us

who have held dear to the Reagan-Bush axiom that the Federal Government is too big and it spends too much. For too long Government has been incapable of managing its finances in a responsible manner, and the passage of a balanced budget amendment is an important first step in assuring that this Nation is fiscally sound as we move into the 21st century.

Madam Speaker, I also strongly support the rule, which will allow consideration of a constitutional amendment to balance the budget. Many duplicate amendments were offered to the Committee on Rules, but I am pleased that six distinct constitutional amendments will be considered on the House floor in the coming days.

Madam Speaker, it is important to note that in the past the House refused even to hold a markup on this bill. I believe that the Committee on Rules has been extraordinarily fair and prudent in approving twice as many minority amendments as majority amendments in this debate.

The balanced budget amendment with the three-fifths tax limitation provision will force Congress to curb its spending, and will go a long way toward eliminating Government waste and Government abuse of taxpayer dollars.

Mr. MOAKLEY. Madam Speaker, I yield 1 minute to the gentleman from Utah [Mr. ORTON].

(Mr. ORTON asked and was given permission to revise and extend his remarks.)

Mr. ORTON. Madam Speaker, I rise in strong opposition to this closed rule. In this and the last two Congresses, I have filed a balanced budget amendment which is not a dilatory amendment. It is a substantial amendment which the Committee on Rules refuses to allow to be brought here to the floor and voted upon.

Madam Speaker, it is a unique concept. It is the only amendment which requires actual receipts and outlays to be balanced, the only amendment with an actual enforcement mechanism. When presented to the Committee on Rules, the chairman said "We have 46 amendments. We can't possibly take them all to the floor." Why not? Why not? Is it because there are other issues in the contract to discuss?

This is the Contract With America, the Constitution of the United States. Only 16 times in the last 200 years have we amended this Constitution. There is nothing more important.

Suppose that Thomas Jefferson had taken, then, the floor of the Constitutional Convention and said "We don't have time to listen to all of you. We are going to take 5 ideas, debate them, and then vote."

□ 1340

We would have never have had the opportunity to hear of the great compromise which created the House and Senate. We would have never had this Constitution.

Oppose the rule. Vote against the rule. Allow us to bring all of the ideas about changing this document.

Mr. SOLOMON. Madam Speaker, yielding myself 30 seconds, I would point out to the gentleman from Utah that Thomas Jefferson was not at the Constitutional Convention; he was the Ambassador to France at the time. The gentleman from Utah last year voted for the very closed restrictive rule. Now he is complaining about it.

Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. I thank the gentleman for yielding.

Mr. Speaker, I would like to recognize the gentleman's leadership for the fight in the balanced budget amendment. He has been a very dedicated soldier in this regard.

Madam Speaker, I rise in support of the rule. The deficit this year is forecast to be \$176 billion. This is actually down from several years of deficits well in excess of \$200 billion.

The accumulated national debt is now \$4.7 trillion. This includes both debt held by the public and debt owed to the trust funds. If we do nothing, the deficit situation will grow far worse. Current CBO projections show the annual deficits increasing to over \$300 billion a year after the turn of the century.

Madam Speaker, I strongly support the balanced budget tax limitation amendment included in the Contract With America, the Barton language. If that version fails to garner 290 votes, I will support the alternative language offered by my good friend from Colorado, DAN SCHAEFER.

The current amendments before this House are directed at ending annual deficits. This is great. It means that in 2002 we will at least have stopped adding to the accumulated debt. But by then, we will still have an accumulated national debt of over \$6 trillion, and our children will have to pay interest on this accumulated debt for every year in the future. That interest will force Federal taxes to be higher than they should be.

Under current CBO forecasts, Federal spending will grow an average of 5.3 percent a year. In order to achieve a balanced budget, we must hold that rate of growth at 2 percent, and we can still pay for the tax cuts. This means that instead of spending \$2.5 trillion more than if we froze spending, we can spend \$1 trillion more. It is clear to me that we can and must do this for our children.

Last November the American people sent a clear message to Congress. They want us to pass the toughest balanced budget amendment that we can. This is how I will cast my vote.

Mr. SOLOMON. Madam Speaker, might I inquire as to the time remaining on both sides of the aisle?

The SPEAKER pro tempore (Mrs. JOHNSON of Connecticut). The gentleman from New York [Mr. SOLOMON]

has 3 minutes remaining, and the gentleman from Massachusetts [Mr. MOAKLEY] has 4 minutes remaining.

Mr. SOLOMON. I would just say to the gentleman from Massachusetts [Mr. MOAKLEY] that we will be closing on this debate.

Mr. MOAKLEY. Madam Speaker, I yield 4 minutes to the minority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. SOLOMON. Madam Speaker, may I inquire, is the gentleman yielding his remaining time to the minority leader?

The SPEAKER pro tempore. Yes. The gentleman from Massachusetts had 4 minutes remaining and has yielded 4 minutes to the gentleman from Missouri.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Madam Speaker, I urge my colleagues to defeat this gag rule so that we can shred the veil of secrecy that shrouds this amendment and tell the American people what is really at stake in this debate.

My colleagues, when we talk about tacking amendments on to the Constitution of the United States, we are talking about the most sacred responsibility we have as legislators: To ensure that the document that has steered our ship of state for more than two centuries advances the goals we share as a nation, openness, fairness, opportunity for all. That is why I think it is crucial that a balanced budget amendment, an amendment that would touch on every aspect of the lives of our constituents, is considered in an open, fair, and honest manner.

I would urge and urged yesterday an open rule for this debate, one that allows every amendment that has been presented to be considered by the House, every argument that has been presented to be heard, and every avenue for having a constitutional amendment to be understood.

How else will the American people know that we looked before we leapt? You see, for Democrats, the question is not whether we balance the budget, the question is how we balance the budget, and who is affected and how they are affected.

When we ask our friends on the other side of the aisle what gets cut, whose belt will be tightened, to borrow the words of my good friend the Republican leader, "Their knees buckle."

So we say we are not signing this contract until we can read the fine print. That is why I asked for a vote during this consideration of the balanced budget amendment on a statute that I call the honest budget bill that would force the Congress to say in a budget resolution exactly how we want to balance the budget before the amendment is sent out to the States. But this rule refuses to allow us to consider that legislation.

So my question is, is there a hidden agenda here? Is there somewhere in here a veiled attack on Social Security

or Medicare which some of our friends on the other side have threatened in the past? Our States have a right to know. And our people, most importantly, have a right to understand how this budget will be balanced.

I know the Republican majority is trying to move fast on the contract. I think it is because the contract is losing ground with every passing opinion poll. The reality is the more that the people know about the contract, the less they like it, and I sympathize.

But is this not what democracy is all about? Giving people the information that they deserve to make informed, educated, choices about their own lives? Even if it means sometimes our contracts, our ideas, our proposals, are rejected and we have to go back to the drawing board.

I urge Members, vote for the previous question, defeat this gag rule. If this amendment is not good enough to withstand the bright light of truth, then, my friends, it is not good enough for the American people.

Mr. MOAKLEY. Madam Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. I think the minority leader misspoke. We want to vote against the previous question.

Mr. GEPHARDT. Vote no on the previous question. The gentleman knew what I meant.

Madam Speaker, let me end with this last point. This is perhaps the most important legislation we will consider in our whole time in the Congress. There is not a more important, far-reaching bill or bills than this set of proposals.

I urge Members to allow the fullest possible debate. This bill will affect our people's lives more than anything we will vote on in the time we are in the House of Representatives.

Vote no on the previous question, vote against the gag rule. Let all of the alternatives be debated in a completely open rule.

Mr. SOLOMON. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 3 minutes.

Mr. SOLOMON. Madam Speaker, I would just say the distinguished minority leader is absolutely right, this is probably going to be the most important vote we will cast in our career in this Congress. The balanced budget amendment is going to do what the American people want us to do for a change.

I would just have to take exception with the minority leader calling this a gag rule. He has been here longer than I have, but for the last 4 successive, preceding Congresses, he has voted personally, as has everyone on his side of the aisle, for a much more restrictive gag rule than this one will ever be.

□ 1350

This is a fair rule in which we took into consultation the minority leader and other Members of his party.

Let me just say this, Madam Speaker, the Democrat minority leader is using the faulty argument that we should not require a balanced budget until Congress adopts a detailed plan for balancing that budget.

Using that kind of logic, if today's House Democrats had been in charge at the time of Pearl Harbor, we would still be debating today over a detailed plan for winning the war in the Pacific, before we could vote on a declaration of war.

That is what this is, the same analogy, the deficit is the war we are fighting today. We are not going to be forced to deal with it until we recognize we are under attack, declare war on it, and then set about mobilizing and planning to win that war.

Having said that, Madam Speaker, before I close and move the previous question, let me explain that since we reported the rule yesterday, it has been called to our attention that there is a discrepancy in the Committee on the Judiciary report between the total votes cast for and against amendment No. 6 on the actual number of the Members listed by name as voting for and against the amendment. I appreciate the minority calling this to our attention so we can correct this mistake by way of an amendment to this rule.

We hope we can work cooperatively in insuring that our new accountability rules will work for the good of the House and for the public.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Madam Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: On page 2, at line 19, insert after "clause (2)(g)(3)" the following: "or clause 2(l)(2)(B)".

Mr. SOLOMON. Madam Speaker, out of courtesy to the minority, I ask unanimous consent for 10 additional minutes for this rule, and that I be permitted to yield 5 minutes of that time to the gentleman from Massachusetts [Mr. MOAKLEY] for the purposes of controlling that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] will be recognized for 5 minutes and the gentleman from Massachusetts [Mr. MOAKLEY] will be recognized for 5 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Madam Speaker, I have already explained the amendment, and I reserve the balance of my time.

Mr. MOAKLEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the proposed amendment to this rule waives clause 2(l)(2). This clause reflects changes made on opening today to require that committee reports accurately reflect

all rollcall votes on amendments in committee.

Madam Speaker, the point of order that lies against the Committee on the Judiciary report is the very same point of order that applied to the unfunded mandates bill.

The Committee on Rules majority also failed to waive the point of order on the unfunded mandates bill.

On January 19 the gentleman from Pennsylvania [Mr. KANJORSKI] made a parliamentary inquiry to establish for the RECORD that the point of order applied, but he did not press in that point of order.

The minority does not wish to obstruct, but it is our responsibility to call the majority as it tries to circumvent the very rules we adopted on opening day.

If the new majority believes it is important to require an accurate tally of each rollcall vote on amendments in committee, they should do it. At a minimum they should include a waiver in the rule when they do not live up to their own requirements.

To depend on our good graces not to press points of order week after week just cannot be acceptable.

I thank the gentleman from New York for yielding me the time.

Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Madam Speaker, I rise in opposition to the rule. This restrictive rule did not allow many important and substantive substitutes. One of the substitutes offered and not allowed was one that I offered.

My substitute mirrored other balanced budget substitutes requiring the Federal Government to achieve a balanced budget. It would have required a three-fifths majority to raise taxes. However, it contained one important difference. It would also have required a three-fifths majority to cut spending for programs supporting the safety net for the poor.

Specifically, it would have protected these programs respecting subsistence, health, education, and employment. It is my belief that these programs which comprise the safety net for America's most vulnerable citizens deserve protection.

Programs likely to be slashed include LIHEAP, Head Start, mass transit, and the list could go on and on. Too often poor families and their children are the least heard in Washington. They deserve to be heard and they deserve to be heard on my substitute.

I urge my colleagues to defeat this rule.

Mr. MOAKLEY. Madam Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR], the minority whip.

Mr. BONIOR. Madam Speaker, I thank my friend from Massachusetts for yielding me the time.

Madam Speaker, I want to point out to my friends and colleagues here this afternoon, we started off this session

with the first two rules being closed, and then we adopted a package of rule reforms, some of which we agreed with, some of which we did not.

Our point here today is to make it clear to you that we intend to make you live by the rules and the reforms that we instituted on that first day of session.

We had one other chance to do what we are raising this afternoon and that is to raise a point of order on the rule as it came out of the committee on the unfunded mandates bill. We did not do that because we knew it would delay, and we could not go on with the business of the House, and we let it go. The issue was basically the same as it is today, that the report language coming out of the Committee on Rules was not complete, in fact it was inaccurate.

So, I just want to make it very clear this afternoon that we are determined to speak up and to protect the rule reforms that were instituted in this House and to prevent our Members from being gagged, from discussing these important issues as they come before this body. We are not going to tolerate further points of order requests without proper consultation and consideration for the needs of the people on our side of the aisle.

Mr. MOAKLEY. Madam Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mrs. JOHNSON of Connecticut). The gentleman from Massachusetts [Mr. MOAKLEY] has 30 remaining seconds.

Mr. MOAKLEY. Madam Speaker, I yield 30 seconds to the gentleman from New Mexico [Mr. RICHARDSON], our Ambassador to Korea.

Mr. RICHARDSON. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, I wish to add my voice to the opposition to this rule for two reasons that have been stated very eloquently. First, the rule does not protect programs important to the public, from severe cuts; and, second, I think that truth-in-budgeting provision is critically important to have.

Madam Speaker, I rise in opposition of the rule for two reasons: Although I support a balanced budget, this rule does not protect programs like Social Security and Medicare, important to the public from severe cuts. Second, this rule precludes the truth-in-budgeting pension—we need to explain what programs we are cutting and be honest about what a balanced budget means.

Madam Speaker, when we are facing a possible total of \$1.2 trillion in cuts from this amendment over the next 7 years, an open rule to fully examine the impact of those cuts and to protect important programs is certainly in order. Many of the substitutes denied by the Rules Committee would have helped protect Social Security and other programs important to health and education. Apparently, the Rules Committee would like to continue the illusion that passing a balanced budget amendment will mean no pain for any parts of our population in actually getting to a balanced budget.

Madam Speaker, what is wrong with leveling with the American people about what pro-

grams could be cut while balancing the budget? Many hard-working Americans rely on programs such as Medicare and Social Security to give them economic security and a safety net in times of trouble.

Madam Speaker, we should defeat this rule and allow for one that would bring about careful consideration of the impact of this amendment and help protect programs important to the public from deep budget cuts. We need a rule that reduces the rhetoric and increases honesty in cutting the budget. That's what the public wants to see.

Mr. MOAKLEY. Madam Speaker, I just will say, when the gentleman makes the motion on the previous question I hope that the Members will vote no on it, so we can get an open rule that the gentleman from New York will be proud of. If he thinks this is the most open rule, we are going to give him a most, most, most open rule.

Mr. SOLOMON. Madam Speaker, I yield myself such time as I might consume.

But let me just say to my good friend, this may not be a completely open rule, but it is the most fair rule that ever came to this floor for a balanced budget amendment.

Let me just say the minority whip had mentioned that the report coming out of the Committee on Rules was in error. It was not a report from the Committee on Rules. We do not make errors. It was out of another committee. Second, I would just point out that what this is all about is that there was a miscalculation on counting the yeas and nays on a recorded vote in the Committee on the Judiciary. This simply is to take care of that little miscalculation.

Second, we want to abide by these rules. You know, we have one which now requires committee reports coming out of the committees to simply record the yeas and nays of the individual members and how they voted. That is part of Speaker GINGRICH's orders to this House to be open and fair and accountable and let the American people, and I will use the word again, "be accountable." Let the American people know how we vote here on the floor of this House and in committees.

There were a great many proposals developed by the gentleman from California [Mr. DREIER] and the committee that I served on concerning the reform of Congress that went on to, as you know, to shrink the size of this Congress itself by a third, cutting off 700 jobs and shrinking it, shrinking this Congress, setting the example of what we are going to do to the Federal Government in shrinking Government and returning it to the private sector.

There were a whole slew of these. I will not get into all of those now. I do appreciate the consideration of the gentleman.

Mrs. SCHROEDER. Mr. Speaker, it is particularly important that we have full and open debate on the balanced budget amendment on the floor of the House, because we most assuredly did not have full debate in committee. Amending the Constitution is a step we

should not take either lightly; I cannot think of a matter which is more deserving of our most thoughtful and careful deliberation.

The Subcommittee on the Constitution gave this amendment less than 7 hours of time in actual debate and markup. We spent less than 6 hours, if you exclude the time the majority spent with amendments perfecting their own version of the bill. This is astounding—I have spent more time making my children's Halloween costumes than I was allowed to spend in committee debating an amendment to our fundamental document of governance. The Constitution of the United States deserves better from all of us.

When debate in subcommittee was arbitrarily cut off, without any advance notice that there would be a limit to debate, significant issues had yet to be debated by the committee, including:

The effects of the amendment during times of recession, and whether the amendment would result in pro-cyclical, rather than counter-cyclical, spending;

The role of the courts in interpreting and enforcing the amendment, including questions of standing; and

What changes the amendment would bring about in terms of Presidential authority.

Further, the debate the committee did engage in left very significant questions unanswered. We ended the committee process without clear answers to questions of basic definition and implementation, including what is a tax revenue, and what isn't, and what is an outlay.

The most fundamental question that remains unanswered is one that every American is entitled to have answered, because every poll on this issue shows that it determines whether or not Americans support this amendment, and that is what cuts will be made to balance the budget. Polls show that Americans support this amendment if it means cuts in defense, but not if it means cuts in Social Security or Federal support for education. What are we saying to the American people? "Trust us; we'll tell you about the cuts later?" That is paternalism, not democracy. And we Members of Congress cannot know what those cuts might be, because our knees will buckle. Instead, we hear only that they will be draconian if Social Security is off the table, as everyone says it will be. Mr. Speaker, it is indefensible to ask the Members of this House to vote on a matter before we have the details.

We need full and open debate, and must guarantee that Americans will have the details on how the budget will be balanced before the constitutional amendment goes to the States for ratification.

Our duty to the Constitution is paramount. It is essential that the floor debate provide us with what the highly abbreviated committee process did not: a thorough examination of what this amendment would mean to the American people in terms of the budget cuts it would bring about. I urge my colleagues to vote against this rule.

Mr. SOLOMON. Madam Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore (Mrs. JOHNSON of Connecticut). The question is on ordering the previous question on the amendment and on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

PARLIAMENTARY INQUIRY

Mr. MOAKLEY. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MOAKLEY. How does the gentleman go about getting a vote on the previous question, a separate vote on the previous question?

The SPEAKER pro tempore. The motion is not divisible.

Mr. MOAKLEY. I am sorry, on the amendment to the rule.

The SPEAKER pro tempore. The Chair is putting the previous question by voice vote. Those in favor will say "aye," those opposed will say "no."

In the opinion of the Chair, the ayes have it.

Mr. MOAKLEY. I have a further parliamentary inquiry.

The SPEAKER pro tempore. The previous question is ordered.

Mr. SOLOMON. Are we now putting the question on the amendment to the resolution and not on the resolution itself or on the previous question?

Mr. MOAKLEY. I object. I am sorry.

The SPEAKER pro tempore. The previous question has just been ordered by voice, and the gentleman from Massachusetts is on his feet.

Mr. MOAKLEY. I object to the vote, Madam Speaker, on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman from Massachusetts objects to the vote on the ground that a quorum is not present, makes a point of order that a quorum is not present. A quorum is not present, and under the rule, the yeas and nays are ordered.

Pursuant to clause 5(b)(1) of rule XV, the Chair may reduce to a minimum of 5 minutes the time for any electronic vote, if ordered, on the amendment to the resolution and on the resolution. Those in favor of the question will vote aye, those opposed will vote nay.

Members will record their votes by electronic device on the question of ordering the previous question on the amendment and the resolution.

The vote was taken by electronic device, and there were—yeas 233, nays 196, not voting 5, as follows:

[Roll No. 37]

YEAS—233

Allard	Bilirakis	Camp
Andrews	Bileye	Canady
Archer	Blute	Castle
Armey	Boehlert	Chabot
Bachus	Boehner	Chambliss
Baker (CA)	Bonilla	Chenoweth
Baker (LA)	Bono	Christensen
Ballenger	Brownback	Chrysler
Barr	Bryant (TN)	Clinger
Barrett (NE)	Bunn	Coble
Bartlett	Bunning	Coburn
Barton	Burr	Collins (GA)
Bass	Burton	Combest
Bateman	Buyer	Cooley
Bereuter	Callahan	Cox
Bilbray	Calvert	Crane

Crapo	Hunter	Quinn
Cremeans	Hutchinson	Radanovich
Cunningham	Hyde	Ramstad
Davis	Inglis	Regula
Deal	Istook	Riggs
DeLay	Johnson (CT)	Roberts
Diaz-Balart	Johnson, Sam	Rogers
Dickey	Jones	Rohrabacher
Doolittle	Kasich	Ros-Lehtinen
Dornan	Kelly	Roth
Dreier	Kim	Roukema
Duncan	King	Royce
Dunn	Kingston	Salmon
Ehlers	Klug	Sanford
Ehrlich	Knollenberg	Saxton
Emerson	Kolbe	Scarborough
English	LaHood	Schaefer
Ensign	Largent	Schiff
Everett	Latham	Seastrand
Ewing	LaTourette	Sensenbrenner
Fawell	Lazio	Shadegg
Fields (TX)	Leach	Shaw
Flanagan	Lewis (CA)	Shays
Foley	Lewis (KY)	Shuster
Forbes	Lightfoot	Skeen
Fowler	Linder	Smith (NJ)
Fox	Livingston	Smith (TX)
Franks (CT)	LoBiondo	Smith (WA)
Franks (NJ)	Longley	Solomon
Frelinghuysen	Lucas	Souder
Frisa	Manzullo	Spence
Funderburk	Martini	Stearns
Galleghy	McCollum	Stockman
Ganske	McCrery	Stump
Gekas	McDade	Talent
Gilchrest	McHugh	Tate
Gillmor	McInnis	Tauzin
Gilman	McIntosh	Taylor (MS)
Goodlatte	McKeon	Taylor (NC)
Goodling	Metcalf	Thomas
Goss	Meyers	Thornberry
Graham	Mica	Tiahrt
Greenwood	Miller (FL)	Torkildsen
Gunderson	Molinari	Upton
Gutknecht	Moorhead	Vucanovich
Hall (TX)	Morella	Waldholtz
Hancock	Myers	Walker
Hansen	Myrick	Walsh
Hastert	Nethercutt	Wamp
Hastings (WA)	Neumann	Watts (OK)
Hayes	Ney	Weldon (FL)
Hayworth	Norwood	Weldon (PA)
Hefley	Nussle	Weller
Heineman	Oxley	White
Herger	Packard	Whitfield
Hilleary	Paxon	Wicker
Hobson	Petri	Wolf
Hoekstra	Pombo	Young (AK)
Hoke	Porter	Young (FL)
Horn	Portman	Zeliff
Hostettler	Pryce	Zimmer
Houghton	Quillen	

NAYS—196

Abercrombie	de la Garza	Harman
Ackerman	DeFazio	Hastings (FL)
Baesler	DeLauro	Hefner
Baldacci	Dellums	Hilliard
Barcia	Deutsch	Hinchey
Barrett (WI)	Dicks	Holden
Becerra	Dingell	Hoyer
Beilenson	Dixon	Jackson-Lee
Bentsen	Doggett	Jacobs
Berman	Dooley	Jefferson
Bevill	Doyle	Johnson (SD)
Bonior	Durbin	Johnson, E. B.
Borski	Edwards	Johnston
Boucher	Engel	Kanjorski
Brewster	Eshoo	Kaptur
Browder	Evans	Kennedy (MA)
Brown (CA)	Farr	Kennedy (RI)
Brown (FL)	Fattah	Kennelly
Brown (OH)	Fazio	Kildee
Bryant (TX)	Filner	Kleczka
Cardin	Flake	Klink
Chapman	Foglietta	LaFalce
Clay	Ford	Lantos
Clayton	Frank (MA)	Laughlin
Clement	Frost	Levin
Clyburn	Furse	Lewis (GA)
Coleman	Gedjenson	Lincoln
Collins (IL)	Gephardt	Lipinski
Collins (MI)	Geren	Lofgren
Condit	Gonzalez	Lowey
Conyers	Gordon	Luther
Cottello	Green	Maloney
Coyne	Gutierrez	Manton
Cramer	Hall (OH)	Markey
Danner	Hamilton	Martinez

Mascara	Payne (NJ)	Stenholm
Matsui	Payne (VA)	Stokes
McCarthy	Pelosi	Studds
McDermott	Peterson (FL)	Stupak
McHale	Peterson (MN)	Tanner
McKinney	Pickett	Tejeda
McNulty	Pomeroy	Thompson
Meehan	Poshard	Thornton
Meek	Rahall	Thurman
Menendez	Rangel	Torres
Mfume	Reed	Torricelli
Miller (CA)	Reynolds	Towns
Mineta	Richardson	Trafficant
Minge	Rivers	Tucker
Mink	Roemer	Velazquez
Moakley	Rose	Vento
Mollohan	Roybal-Allard	Visclosky
Montgomery	Rush	Volkmer
Moran	Sabo	Ward
Murtha	Sanders	Waters
Nadler	Sawyer	Watt (NC)
Neal	Schroeder	Waxman
Oberstar	Schumer	Williams
Obey	Scott	Wilson
Olver	Serrano	Wise
Ortiz	Sisisky	Woolsey
Orton	Skaggs	Wyden
Owens	Skelton	Wynn
Pallone	Slaughter	Yates
Parker	Spratt	
Pastor	Stark	

NOT VOTING—5

Bishop	Fields (LA)	Smith (MI)
Cubin	Gibbons	

□ 1420

Mr. WILSON changed his vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mrs. JOHNSON of Connecticut). Accordingly, the previous question is ordered on the amendment to the resolution and on the resolution.

The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON] to the resolution, House Resolution 44.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MOAKLEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. As announced earlier, this is a 5-minute vote, and the Chair may reduce to a minimum of 5 minutes the time for electronic voting if the next vote is called for.

The vote was taken by electronic device, and there were—aye 253, noes 176, not voting 5, as follows:

[Roll No. 38]

AYES—253

Allard	Boehner	Chrysler
Andrews	Bonilla	Clement
Archer	Bono	Clinger
Armey	Browder	Coble
Bachus	Brownback	Coburn
Baker (CA)	Bryant (TN)	Collins (GA)
Baker (LA)	Bunn	Combest
Ballenger	Bunning	Condit
Barr	Burr	Cooley
Barrett (NE)	Burton	Cox
Bartlett	Buyer	Crane
Barton	Callahan	Crapo
Bass	Calvert	Cremeans
Bateman	Camp	Cunningham
Bereuter	Canady	Davis
Bilbray	Castle	Deal
Bilirakis	Chabot	DeLay
Bliley	Chambliss	Diaz-Balart
Blute	Chenoweth	Dickey
Boehlert	Christensen	Doolittle

Dornan	Kim	Riggs	Markey	Pastor	Stokes	Hayes	McHugh	Seastrand
Dreier	King	Roberts	Martinez	Payne (NJ)	Studds	Hayworth	McInnis	Sensenbrenner
Duncan	Kingston	Rogers	Mascara	Pelosi	Stupak	Hefley	McIntosh	Shadegg
Dunn	Klug	Rohrabacher	Matsui	Peterson (FL)	Tejeda	Heineman	McKeon	Shaw
Ehlers	Knollenberg	Ros-Lehtinen	McCarthy	Pickett	Thompson	Herger	Meehan	Shays
Ehrlich	Kolbe	Roth	McDermott	Pomeroy	Thornton	Hilleary	Metcalf	Shuster
Emerson	LaHood	Roukema	McHale	Poshard	Torres	Hobson	Meyers	Sisisky
English	Largent	Royce	McKinney	Rahall	Torricelli	Mica	Hoekstra	Skeen
Ensign	Latham	Salmon	McNulty	Rangel	Towns	Hoke	Miller (FL)	Smith (MI)
Everett	LaTourette	Sanford	Meek	Reed	Trafficant	Horn	Minge	Smith (NJ)
Ewing	Laughlin	Saxton	Menendez	Reynolds	Tucker	Hostettler	Molinari	Smith (TX)
Fawell	Lazio	Scarborough	Mfume	Richardson	Velazquez	Houghton	Montgomery	Smith (WA)
Fields (TX)	Leach	Schaefer	Miller (CA)	Rivers	Vento	Hunter	Moorhead	Solomon
Flanagan	Lewis (CA)	Schiff	Mineta	Roemer	Visclosky	Hutchinson	Morella	Souder
Foley	Lewis (KY)	Seastrand	Mink	Roybal-Allard	Volkmeyer	Hyde	Myers	Spence
Forbes	Lightfoot	Sensenbrenner	Moakley	Rush	Ward	Inglis	Myrick	Stearns
Fowler	Lincoln	Shadegg	Mollohan	Sabo	Waters	Istook	Nethercutt	Stenholm
Fox	Linder	Shaw	Moran	Sanders	Watt (NC)	Jacobs	Neumann	Stockman
Franks (CT)	Livingston	Shays	Nadler	Sawyer	Waxman	Johnson (CT)	Ney	Stump
Franks (NJ)	LoBiondo	Shuster	Neal	Schroeder	Williams	Johnson, Sam	Nussle	Talent
Frelinghuysen	Longley	Sisisky	Oberstar	Schumer	Wilson	Jones	Oxley	Tanner
Frisa	Lucas	Skeen	Obey	Scott	Wise	Kasich	Packard	Tate
Funderburk	Manzullo	Skelton	Olver	Serrano	Woolsey	Kelly	Parker	Tauzin
Gallegly	Martini	Smith (MI)	Ortiz	Skaggs	Wyden	Kim	Paxon	Taylor (MS)
Ganske	McCollum	Smith (NJ)	Orton	Slaughter	Wynn	King	Payne (VA)	Taylor (NC)
Gekas	McCrery	Smith (TX)	Owens	Spratt	Yates	Kingston	Peterson (MN)	Thomas
Geren	McDade	Smith (WA)	Pallone	Stark		Klug	Petri	Thornberry
Gilchrest	McHugh	Solomon				Knollenberg	Pombo	Tiahrt
Gillmor	McInnis	Souder				Kolbe	Porter	Torkildsen
Gilman	McIntosh	Spence	Bishop	Fields (LA)	Rose	LaHood	Portman	Torricelli
Goodlatte	McKeon	Stearns	Cubin	Gibbons		Largent	Pryce	Upton
Goodling	Meehan	Stenholm				Latham	Quillen	Vucanovich
Goss	Metcalf	Stockman				LaTourette	Quinn	Waldholtz
Graham	Meyers	Stump				Laughlin	Radanovich	Walker
Greenwood	Mica	Talent				Lazio	Ramstad	Walsh
Gunderson	Miller (FL)	Tanner				Leach	Regula	Wamp
Gutknecht	Minge	Tate				Lewis (CA)	Riggs	Watts (OK)
Hall (TX)	Molinari	Tauzin				Lewis (KY)	Roberts	Weldon (FL)
Hancock	Montgomery	Taylor (MS)				Lightfoot	Rogers	Weldon (PA)
Hansen	Moorhead	Taylor (NC)				Lincoln	Rohrabacher	Weller
Hastert	Morella	Thomas				Linder	Ros-Lehtinen	White
Hastings (WA)	Murtha	Thornberry				Livingston	Roth	Whitfield
Hayes	Myers	Thurman				LoBiondo	Roukema	Wicker
Hayworth	Myrick	Tiahrt				Looney	Royce	Wilson
Hefley	Nethercutt	Torkildsen				Lucas	Salmon	Wise
Heineman	Neumann	Upton				Manzullo	Sanford	Wolf
Herger	Ney	Vucanovich				Martini	Saxton	Young (AK)
Hilleary	Norwood	Waldholtz				McCollum	Scarborough	Young (FL)
Hobson	Nussle	Walker				McCrery	Schaefer	Zeliff
Hoekstra	Oxley	Walsh				McDade	Schiff	Zimmer
Hoke	Packard	Wamp						
Horn	Parker	Watts (OK)						
Hostettler	Paxon	Weldon (FL)						
Houghton	Payne (VA)	Weldon (PA)						
Hunter	Peterson (MN)	Weller						
Hutchinson	Petri	White						
Hyde	Pombo	Whitfield						
Inglis	Porter	Wicker						
Istook	Portman	Wolf						
Johnson (CT)	Pryce	Young (AK)						
Johnson, Sam	Quillen	Young (FL)						
Jones	Quinn	Zeliff						
Kanjorski	Radanovich	Zimmer						
Kasich	Ramstad							
Kelly	Regula							

Schumer	Thompson	Ward
Scott	Thornton	Waters
Serrano	Thurman	Watt (NC)
Skaggs	Torres	Waxman
Skelton	Towns	Williams
Slaughter	Trafigant	Woolsey
Spratt	Tucker	Wyden
Stokes	Velazquez	Wynn
Studds	Vento	Yates
Stupak	Visclosky	
Tejeda	Volkmer	

NOT VOTING—7

Bishop	DeFazio	Stark
Chenoweth	Fields (LA)	
Cubin	Norwood	

□ 1439

Mr. CRAMER changed his vote from "no" to "aye."

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. FATTAH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman will state it.

Mr. FATTAH. Mr. Speaker, I am a duly elected Member of this House, and I am a member of the Committee on Government Reform and Oversight, which is ably chaired by a fellow Pennsylvanian, the gentleman from Pennsylvania [Mr. CLINGER]. We have been in a markup for a good part of today on a line-item veto, a very serious legislative matter to come before the House. We just recessed so that we could come to the floor in response to the bells ringing.

I would like to know whether there is some opportunity or protection in the rules that would allow Members like myself to be here for the debate on the floor on what is an important matter and hear the debate so that we are casting votes that are informed votes rather than to be handling one matter of business someplace else and then rushed to the floor.

I think this is a matter than should be of concern to Members on both sides of the aisle. I admit that I am new. I come from the Pennsylvania Senate, but this is at least, in my perception, no way to run a railroad.

The SPEAKER pro tempore. The gentleman from Pennsylvania will be advised that yesterday the House adopted a motion permitting committees to meet during the 15-minute debate.

Mr. FATTAH. Mr. Speaker, I thought that was in the Committee of the Whole.

The SPEAKER pro tempore. It is the responsibility of the gentleman from Pennsylvania to vote in the House, and how he works out his time otherwise between his committee and the floor is a matter for him to decide.

Mr. FATTAH. Mr. Speaker, further parliamentary inquiry. I thought that the motion that was handled in the House yesterday that the Chair referred to had to do with the carrying on in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman is correct.

Mr. FATTAH. Mr. Speaker, are we in the Committee of the Whole?

The SPEAKER pro tempore. No, we are not in the Committee of the Whole. This is the House meeting.

It is the responsibility of the gentleman from Pennsylvania to cast his vote in the House. It is his responsibility to decide how he allocates his time between committee and the House floor.

Mr. FATTAH. Mr. Speaker, I thank the Chair. I hope that the House will consider my comments.

TREATMENT OF SOCIAL SECURITY UNDER ANY CONSTITUTIONAL AMENDMENT REQUIRING A BALANCED BUDGET

Mr. FLANAGAN. Mr. Speaker, pursuant to House Resolution 44, as designee of the majority leader, I call up the concurrent resolution (H. Con. Res. 17) relating to the treatment of Social Security under any constitutional amendment requiring a balanced budget, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The text of House Concurrent Resolution 17 is as follows:

H. CON. RES. 17

Resolved by the House of Representatives (the Senate concurring). That, for the purposes of any constitutional amendment requiring a balanced budget, the appropriate committees of the House and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund to achieve that goal.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. FLANAGAN] will be recognized for 30 minutes and the gentleman from Michigan [Mr. BONIOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. FLANAGAN].

Mr. FLANAGAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are those who claim that adding a balanced budget amendment to the U.S. Constitution would jeopardize Social Security benefits. The truth is the other way around, failure to pass a balanced budget amendment is what will harm Social Security.

It is the evergrowing Federal debt and interest payments that truly threaten Social Security. The balanced budget amendment is a way to put a halt to the spendthrift ways of Congress. Dr. Robert Myers, Social Security's former chief actuary and deputy commissioner has given his support to a balanced budget amendment as a means to protect Social Security. Dr. Myers has stated the case clearly as to how the Government's fiscal irrespon-

sibility threatens Social Security. Dr. Myers said:

In my opinion, the most serious threat to Social Security is the federal government's fiscal irresponsibility. If we continue to run federal deficits year after year, and if interest payments continue to rise at an alarming rate, we will face two dangerous possibilities. Either we will raid the trust funds to pay for our current profligacy, or we will print money, dishonestly inflating our way out of indebtedness. Both cases would devastate the real value of the Social Security Trust Funds.

Mr. Speaker, Mr. Jake Hansen, the vice president of government affairs for the non profit organization, the Seniors Coalition, recently elaborated on Dr. Myers' comments in a speech he gave to the National Taxpayers Conference. Mr. Hansen's speech, entitled, "The Balanced Budget Amendment: Key to Saving Social Security," was published in the January/February 1995 issue of the Senior Class, a bimonthly publication of the Seniors Coalition.

But more to the point today, Mr. Speaker, I bring to the House floor Concurrent Resolution 17, a resolution that places Members of Congress clearly on record as being committed to fulfilling the promises of the past when the Federal Government established Social Security.

Specifically, this resolution directs the Congress to leave the Federal Old Age and Survivors Insurance trust fund and the Federal Disability trust fund alone when it is forced to comply with the balanced budget amendment.

House Concurrent Resolution 17 is a straightforward resolution that does two things: First, it directs the appropriate committees of the House and Senate to report to their respective Chambers implementing legislation to achieve a balanced budget amendment; and second, it requires that in doing so, the committees shall not do anything to increase Social Security taxes or reduce benefits to achieve that goal.

Mr. Speaker, what that means is that the budget cannot be balanced on the backs of those currently paying Social Security taxes or on the backs of those currently receiving Social Security benefits.

The majority leadership thought it appropriate to report my resolution to the floor today before the House considers House Joint Resolution 1, the balanced budget amendment. Their reasoning, with which I completely agree, is that this resolution is necessary to fend off attacks by the critics of a balanced budget who claim that somehow proponents of a balanced budget amendment have secret plans to slash Social Security. Mr. Speaker, this has no basis in fact. Most Members of this body, including myself, have already been on record as pledging to protect the retirement benefits of the elderly. My resolution simply ensures that Members of Congress keep their Social Security protection pledge.

As an original cosponsor of House Joint Resolution 1, I believe the best

way to ensure retirement benefits are safe from the budgetary ax, now and in the future, is for the Congress to pass and the States to ratify a balanced budget amendment to the U.S. Constitution.

Mr. Speaker, many of us, on this side of the aisle, felt that it was necessary to bring forth this resolution as a way to offset the incorrect claims of critics who portray proponents of the balanced budget amendment in a false light. We were afraid that their fear mongering about the balance budget amendment would disseminate into the public as fact. The truth is, Mr. Speaker, a balanced budget amendment will be the first step toward guaranteeing the financial security of American retirees.

Some Members of Congress support a version of the balanced budget amendment which specifically carves out Social Security. This may be smart politics on the surface, but it is certainly not sound public policy.

Because Social Security is a program established by statute and not referred to in the Constitution, amending that historic document to provide an exclusion from balanced budget computations just creates an opportunity for potential, future mischief. Since Congress possesses the legislative authority to change statute, irresponsible lawmakers could, at some point in the future, by-pass balanced budget requirements by merely redefining future spending programs as, quote, "Social Security." Under this loophole, Congress could evade its responsibilities to balance the budget by making all manner and forms of spending Social Security programs.

Mr. Speaker, Members of Congress do not have to meddle with the Constitution in order to protect the Social Security trust funds. Instead, they could support House Concurrent Resolution 17 and vote for the balanced budget amendment. Mr. Speaker, I note that when I yield, it is for the purpose of debate only.

Mr. Speaker, I reserve the balance of my time.

□ 1450

Mr. BONIOR. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this resolution is definitive proof that the Republicans intend to cut Social Security. There is no question about it.

However, if they really wanted to exempt Social Security from the balanced budget chopping block, they would have written that promise into their constitutional amendment. They would make it explicit that Social Security would not be cut. However, this resolution does no such thing. In fact, the resolution before us is more remarkable for what it does not do than what it does.

The Flanagan resolution does not exempt Social Security from the chopping block. It does not bind the House to exempt Social Security. It has no

point of order to prevent cuts in Social Security. It does not ask the President to sign legislation to say Social Security will not be cut, and it does not impose sanctions if Social Security is cut. It has no teeth to prevent Social Security from being cut.

In fact, Mr. Speaker, there is nothing in this resolution to prevent Social Security from being cut at all.

Mr. Speaker, this resolution is nothing but one big, giant fig leaf, one, big, giant fig leaf. It is one great big, trust me. All it says to the seniors of America is "Take our word for it, we won't slash Social Security."

I am sorry, Mr. Speaker, that is not good enough. Republicans have proven time and again in the past that we cannot take their word on Social Security.

During the 1980's two Republican Presidents tried to slash Social Security and Medicare time and time again. In 1986, the gentleman from Georgia [Mr. GINGRICH] himself offered a bill to eliminate Social Security as we know it. As recently as 2 weeks ago, Mr. GINGRICH said he expects Social Security to be on the table in 5 years.

In 1984 the gentleman from Texas [Mr. ARMEY] called Social Security a bad retirement, a rotten trick, and said it should be phased out over time. Mr. Speaker, this is from a man who based his first campaign for office on abolishing Social Security. This year, on the 27th of September, Mr. Speaker, the gentleman from Texas [Mr. ARMEY] said "I would never have created Social Security in the first place."

This mind-set that I have just described has trickled down through the Republican ranks. Social Security is not exempted from the Republican balanced budget amendment. In fact, in the one chance, the one chance that Republicans had to exempt Social Security in this Congress, in the Committee on the Judiciary 1 week ago, every Republican but one voted to keep Social Security on the chopping block.

Now, Mr. Speaker, they come here with this empty resolution and they ask the American people to take their word for it. Mr. Speaker, I may have been born at night, but I was not born last night. If Members truly want to exempt Social Security, the language must be in the amendment. It is that simple.

The way to do that is to support the Gephardt balanced budget amendment. Unlike this resolution, the Gephardt amendment explicitly takes Social Security off the table.

Mr. Speaker, 60 years ago Franklin Roosevelt made a solemn, a solemn promise to the American people. He called Social Security a sacred trust that must never, never be taken away.

The senior citizens of this country have given a lot to America. They fought in our wars, they built our economy, they struggled to give us a better life, and now many of them are struggling on \$680 a month on their Social Security check.

We are not going to let the other side balance this budget on their backs. We are not going to let the other side pick their pockets to fulfill this Contract. The American people are not going to be fooled by this fig leaf.

I suspect all of us are going to support this meaningless amendment, but the true test, the true test of whether we are serious about protecting Social Security is whether or not we vote to make that promise part of the constitutional amendment.

Mr. Speaker, I urge my colleagues, vote for this amendment, but do not be fooled by a fig leaf, because the American people will know where Members on the other side stand, and it will be in a few days.

Mr. FLANAGAN. Mr. Speaker, I thank the gentleman for his comments and his support.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. EWING].

(Mr. EWING asked and was given permission to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, I rise today in strong support of this resolution, and I want to congratulate the gentleman from Illinois [Mr. FLANAGAN] for bringing it to our attention, and bringing it here to this House.

It is important that the seniors in this country know that we are not going to touch their Social Security with the balanced budget amendment. Republicans have said this over and over again. I come to the well today to say it again, because we hear so much rhetoric from the other side which is totally inaccurate.

This says nothing about cutting Social Security. In fact, we have proposed repealing the tax that the President and his party helped put on the senior citizens last year.

There is no reason for Social Security to be touched to balance the budget. We can easily balance the budget if we control spending. If we would grow our spending only 3 percent a year, instead of 5.4 percent, we could balance the budget.

Mr. Speaker, I wonder if most seniors know that in fact today the deficit is really the greatest threat to their continued receipt of Social Security. We are getting a surplus every year in the Social Security fund, but we use it to apply to the deficit.

Mr. Speaker, we have in the Social Security trust fund a giant drawer full of IOU's from the Federal Government. We are going to need those investments in the year 2013 to try and pay Social Security as it comes due. It will not be there if we have these continued deficits.

Mr. Speaker, it is a cruel hoax on the American senior citizens to continually bad-mouth the attempt to balance the budget as a way to cut Social Security.

I would say to the gentleman from Illinois [Mr. FLANAGAN], I reiterate that this is a good resolution. It states our

purpose. I thank the gentleman for bringing it to us.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. CONYERS].

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, we must consider four questions if this is to be considered as a serious and compelling force to constitutionally bar cuts in Social Security benefits.

First, is it true that Social Security is currently off budget? Answer: Yes. In 1991 the Budget Enforcement Act did that.

Second, it is not true that the Balanced Budget Act puts the Social Security trust fund back on budget? Answer: True, it does.

Third, is it not true that even with the Flanagan amendment, Congress could subsequently raid the trust fund to balance the budget under the Balanced Budget Act without penalty? Answer: True.

Is it not true that the only ironclad protection for the Social Security trust fund is to write it into the balanced budget amendment, into the text, that Social Security would not be counted as either outlays or receipts?

Unless we do that, Mr. Speaker, what we are doing here is merely a rhetorical exercise of stating good intentions that will lead us no further along this compelling question, in the resolution of it, than we were before this concurrent resolution was adopted.

Please, Mr. Speaker, let us wait for the Gephardt amendment that would actually take care of this problem.

□ 1500

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. HASTERT].

(Mr. HASTERT asked and was given permission to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, I am particularly pleased to rise in support of this concurrent resolution. I have long been a supporter of the balanced budget amendment. But one of the nagging concerns of some of my constituents and myself has been Social Security.

Although the record of the Republican Party has clearly shown that we have no intention of harming the Social Security program, it seems like not everyone believes us. The passage of this resolution will show the American people that we are serious when we say we are going to balance the budget and we are not going to do it by robbing the Social Security trust fund.

Mr. HASTERT. Here is what the resolution says:

"That, for the purposes of any constitutional amendment requiring a balanced budget, the appropriate committees of the House and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Sur-

vivors Insurance Trust Fund and the Federal Disability Trust Fund to achieve that goal."

We also are not going to raise taxes to do it. That is the other part of the resolution.

Mr. Speaker, balancing the budget is a day-by-day, step-by-step process. If we start today by trimming away useless and wasteful programs, we are going to succeed in balancing the budget without resorting to new taxes.

I want to thank my good friend, the gentleman from Illinois, for offering this resolution. The American people have been demanding a balanced budget amendment for a long time. When the House passes that amendment this week, Americans will know that we do not need to raise taxes and that we do not intend to cut Social Security.

I strongly urge my colleagues to support the resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 3 minutes to the wonderful new freshman, the gentleman from Texas [Mr. DOGGETT].

(Mr. DOGGETT asked and was given permission to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, as I look at this resolution, it is a little flimsy. It is a little short. It is only a sentence long. I do not think it is big enough to cover what is happening with reference to this resolution.

I thought it particularly curious to learn in the rather unyielding remarks of my colleagues from Illinois that the majority leader had suggested this resolution to guarantee that once again the Republicans are not going to have their fingers in the social Security system, that the majority leader was the one who inspired House Concurrent Resolution 17.

For it was only a few months ago, on an important day in the history of this country, September 27, 1994, when so many of our colleagues were out smiling on the steps of the Capitol with their contract that the majority leader was asked to take the pledge in public not to cut people's Social Security to meet these promises that were made here on the Capitol steps, and his response on public television September 27 was, "No, I'm not going to make such a promise."

The Republican Party has had a record of looking at the Social Security system askance and this is simply a way to cover for what is about to happen with the balanced budget amendment.

It was particularly unusual that—I think it is particularly curious that—a Republican Member, a freshman Member would come forward with a commemorative resolution of this type, because this resolution will have the same effect as some of the other resolutions that Republicans have offered to this body.

I refer to National Quilting Day, Travel Agent Appreciation Day. These are commemorative resolutions very much like this document. They have absolutely the same effect. They will

not allow for a point of order to stand. They are purely political cover and not real protection for those with Social Security.

You can tell how serious our colleagues are on the subject of protecting Social Security because they did not even bother to print it in TV Guide which we have learned to be the source of most of what we know about the future of government in the United States today.

There are, of course, different versions of this resolution that may come about. I understand the final copy will be on the finest parchment in the land, will be read, interlined, will be in the archives of the United States. Perhaps a copy will be available to mount on the wall of the gentleman from Illinois to point to with everyone who has a Social Security card in this country, that they will have protection as a result of this resolution, a testament to the skill of his legislative hand.

But I would suggest that today in America, there are other people out there working with their hands. Men and women, many of whom have only a Social Security check to look for. And those people and their hands are left out of this resolution.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. FUNDERBURK].

(Mr. FUNDERBURK asked as was given permission to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, I am pleased to support House Concurrent Resolution 17 of my friend, the gentleman from Illinois [Mr. FLANAGAN] to help fulfill the promise of the Contract With America by pledging to protect Social Security.

Mr. Speaker, the minority is at it again. Once again they are doing their level best to scare senior citizens into thinking that Republicans are out to destroy Social Security.

Mr. Speaker, that ploy did not work in November and it will not work now.

Even though the American people have changed managers of this House, the minority is still trying to use every available opportunity to make Social Security a frightening wedge issue. It should be said again that the Republican Party has taken Social Security off the table. The budget can and will be balanced by the year 2002 without touching the program most vital to our senior citizens.

The balanced budget amendment will protect Social Security because there will be no more borrowing from the trust funds which truly protect our Nation's retirees.

Compare that to what is happening now. Skyrocketing budget deficits guarantee that the Government will continue to borrow from trust funds to mask the deficit. Sooner or later we will have to begin paying back the trillions we have borrowed. Every dollar we borrow further burdens Medicare and other priority programs. Each time we borrow, the Congress feels more of

an urge to raise working people's taxes to make up for its fiscal irresponsibility.

While the other side talks a good game about protecting seniors, it was their 1993 budget which imposed \$25 billion in higher Social Security taxes on senior citizens. Now they want to create more mischief. If Social Security is excluded from budget calculations, it means that Congress will have to raise payroll taxes and make serious adjustments in Medicare and other senior programs to make up for the shortfall.

Let there be no mistake. A balanced budget is the first step toward guaranteeing the financial security of retirees. It puts a stop to trust fund borrowing and stops the deficit explosion. The best way, Mr. Speaker, to protect seniors and Social Security is to balance the budget now.

Mr. Speaker, I rise in support of the Flanagan resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the wonderful gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, the item that we are discussing right now is a concurrent resolution to protect Social Security. Yet as every Member on this floor knows, this resolution is powerless if this body decides to cut Social Security.

I also remember when many new Members were paying allegiance to the contract that some of them did have a caveat, and that caveat was that Social Security is off the table. That is because they realize that Social Security is a contract with the American people. There are benefits that the American people worked for week in and week out, and they expect to collect on their retirement.

That means that the Congress does not have the right to balance the budget at the expense of Social Security. Social Security did not bring about this deficit and Social Security should not be used to eliminate the deficit that we have before us and is so troublesome to all of us.

Let us protect Social Security. I think we all agree that that is a good thing to do. But let us do it for real, and we will have an opportunity later to, in this debate. But do not do it by a concurrent resolution. No matter how good is sounds, it is powerless to protect Social Security.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding me the time.

I want to salute the gentleman for the introduction of this resolution and try to clarify apparently some misunderstandings about where Republicanism are coming from. We appropriately have taken the Social Security trust fund off budget and that is where it should always reside. That does not mean it is a sacred trust, because we have to remember that we

have done this with other trust funds and we must remember our Democratic colleagues slashed \$56 billion out of Medicare funding and we have got to remember our Democratic colleagues put that tax increase on Social Security without a single Republican vote in support of either of those two positions.

□ 1510

So, we are going on record, we have made it clear where we are coming from, and I simply want to congratulate my colleague, the gentleman from Illinois [Mr. FLANAGAN], for introducing this resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the dynamic gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, last night, in an eloquent State of the Union Address, President Clinton asked Americans to forge a new covenant based on inalienable rights and solemn responsibilities.

The President urged Members of this body to work together to pass welfare reform, tax relief, and reduce wasteful spending. He also emphasized the need to balance the budget. We agree.

But, like the President, we're here to draw the line. We will not balance the Federal budget on the backs of seniors. We will not cut Social Security and Medicare to balance the budget.

Senior citizens built this country. They have worked hard, raised families, fought wars, and forged strong communities. Our senior citizens have lived up to their responsibilities. And, they have earned the right of a decent and dignified retirement.

We need a leaner, not a meaner Government. That's where Democrats and Republicans part company. While the Speaker has promised to spare Social Security, the Republican balanced budget amendment shows Social Security no mercy.

Instead, the Republicans have put forth the Flanagan fig leaf resolution we now have before us. This resolution does nothing to protect Social Security—it has no force of law. It does not ensure we will achieve a balanced budget that does not attack Social Security, because it does not guarantee a constitutional bar against cuts in Social Security benefits. So the Social Security trust fund surplus will still be used to mask the real size of the deficit.

The President was right last night. The final test of everything we do should be a simple one: Is it good for the American people? All of the American people. The Republican balanced budget amendment does not pass that test, and our senior citizens will not be fooled by this Flanagan fig leaf resolution.

Mr. Speaker, we are not trying to make Social Security a wedge issue. My Republican colleagues are trying to fool seniors into believing that this resolution will protect their benefits. This resolution ought to be called: Sen-

iors beware, your benefits are in trouble.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time and for introducing this bill.

Mr. Speaker, I listened with great interest to the comments from the other side of the aisle. One of the previous speakers was quite correct to point out that before there was this contract there was enacted a solemn contract with the American people that we call Social Security. And I rise in strong support of the Flanagan resolution. In contrast with my colleagues on the other side of the aisle, I cannot classify this as a fig leaf, for I remember, though I was not a Member of this body, in the 103d Congress, I remember a very clear record in that Congress, when the former majority rose and struck down benefits for seniors and taxed seniors' benefits, and strove to cut Medicare.

Friends, that is the real history of what has transpired, and this resolution serves to guide us always, to make sure that we understand the solemn commitment of the intergenerational contract with this Nation's seniors.

Mr. Speaker, actions speak louder than words. We saw terrible actions in the last Congress. This Congress has a strong commitment to preserve the rights of seniors.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, I rise in strong opposition to the resolution under consideration. It represents, in my opinion, the worst aspects of politics, even as we deliberate an issue as central to this country as amending the Constitution to require a balanced budget, what we are considering is a fraud.

Mr. Speaker, I favor a balanced budget amendment with one essential precondition and that is that the Social Security trust fund be placed off limits, not used to bail out unrelated Government spending.

In words alone, both parties agree, all Members are saying Social Security is off limits. Indeed, however, there are deep divisions within this body. Some of us will only support a balanced budget amendment if the Social Security trust fund, independent status of this vital program is protected. Unfortunately, the majority opposes this independent status.

If we all agree Social Security is off limits, let us get it in writing. If we buy a car, we buy a house and promises are made, we get them in writing. We get them in writing so that we can bind the contract in the future.

That is why the balanced budget amendment test has to clearly protect Social Security. It is the only way we

can bind this Congress, let alone a future Congress. The resolution is despicable, because it pretends to put in writing a Social Security commitment, but it does nothing, nothing at all. It is not worth the paper it is written on.

This amendment is politics at its worst because what it says in reality is you have a point on Social Security. You have every reason to be concerned about Social Security, but we are not going to deal with your problem. We will pass a meaningless resolution, we will pretend to deal with your problem. It could just as well say we think those of you who care about Social Security can be tricked. We can fool you into thinking we have protected Social Security when we have done nothing, nothing at all for your concerns.

Well, the people are not tricked by this resolution, Mr. Speaker. The National Committee to Save Social Security, the second largest advocacy group for seniors in the country, has called the Flanagan resolution meaningless and they state, and I quote "Seniors will not be fooled."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois, Mr. HENRY HYDE, chairman of the Committee on the Judiciary.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I thank the gentleman for the 1 minute and I congratulate him for this resolution. I would just suggest to my friends who think this is a waste of time and the equivalent of a commemorative resolution, that they vote "no." They put their money where their mouth is and vote "no" on this and send a message that they are intellectually honest. You are not going to condemn it as a nothing and then vote for it, surely.

As far as I am concerned, I am going to vote for it, because it is in writing and when I vote that is my signature to the writing that says we are not going to touch Social Security. That is a solemn promise. It is an undertaking of mine that I would recommend my next opponent or the next six of them call me to account on if I break my word.

This is something. This is a statement of policy for all of those who sign it and for those who sign, know, it is a statement of their policy.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman for yielding me this time.

Let me answer the prior speaker that was in the well.

The reason that it does not matter how anybody votes on this is because this side of the aisle is going to go on and do the real thing. We are really going to take Social Security off the chopping block. Obviously, if Social Security were not on the chopping block, we would not need this resolution at all. And we know that this lit-

tle piece of paper, this House Concurrent Resolution which is nothing more than what we use to declare National Pickle Day, has exactly the same impetus as National Pickle Day.

For those of us who have been around a long time, it took us a long time to get Social Security out of the general budget. We got it out of the general budget in 1991. And this resolution is a concession that this balanced budget amendment puts it back in the whole thing for the deficit. And that is, in other words, you would not need it.

Mr. HYDE. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I just have a higher regard for the gentlewoman's vote than perhaps the gentleman does herself. When you vote for this, you are making a statement you are not going to touch Social Security. I believe you. I believe you.

Mrs. SCHROEDER. I tell my chairman I not only am not going to vote for this resolution, I am going to do it; and I am going to go on and vote for a real amendment that says we are not going to let any constitutional amendment do it, because as a parent I know what this is about. This is about the theory of Congressmen saying later on to Social Security recipients, but the Constitution made me do it, and they are hoping that the people will not figure out how the Constitution made them do.

Today is the day we are voting on the amendment that will say that the Constitution will make us do it and nothing will change that unless we vote for a real amendment to that constitutional amendment that takes Social Security out.

I hope all Members vote for the real thing. This is a play thing, and let us be perfectly clear, we are just playing with a play thing.

□ 1520

The SPEAKER pro tempore. The Chair will advise the Members the gentleman from Illinois [Mr. FLANAGAN] has 16 minutes remaining and the gentleman from Michigan [Mr. BONIOR] has 12 minutes remaining.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. WAMP].

(Mr. WAMP asked and was given permission to revise and extend his remarks.)

Mr. WAMP. Mr. Speaker, I rise in support of the Flanagan resolution and thank my colleague from Illinois for bringing this issue into the balanced budget amendment debate in a productive manner.

The same special interests who have for years tied up the balanced budget amendment debate are now resorting to scare tactics to try to get older Americans on their side in opposition to the balanced budget amendment. They have scared seniors in my district by saying that balanced budgets will require cuts in their Social Security

benefits, cuts in their fixed incomes, and threaten their way of life.

But this is not true. In fact, the Seniors' Coalition, a national organization, supports the balanced budget amendment, because they know that spiraling deficits are the biggest threat to our national well-being.

We can achieve a balance without touching Social Security. Our party and our leadership are on record opposing cuts in Social Security—opposing cuts—and so am I.

Now, passage of this resolution would do three things. First, it would hold our feet to the fire in passing budgets under the balanced budget amendment that do not use the Social Security trust funds to mask the deficit or to raid those funds for other purposes, whether increased spending or deficit reduction.

Second, it would force each Member of this House to go on record by voting their intent to leave Social Security off the table once a balanced budget is passed.

And, third, it would allow us to debate the merits of a balanced budget amendment in this Chamber without restrictions from the distortions our opponents would like to throw at us about how this is all some evil attempt to steal someone's Social Security benefits. It is not.

What better guarantee can we give older Americans and all Americans that we have the political will and the strength of our convictions to balance the Federal budget without affecting Social Security or raising taxes than to pass this resolution first, then proceed to passing the Barton version of the balanced budget amendment?

I respectfully urge your "yes" vote on both measures.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, the prior speaker, asked the appropriate and relevant question: What better guarantee can we give our senior citizens that Social Security will be taken off the table? This is not the better guarantee, Mr. Speaker. The better guarantee is the Gephardt amendment to the constitutional amendment.

Now, we understand that there are going to be many Members who are going to vote for this to put their intent on the record. It is a pledge, it is a promise or a note. But what we want to see, Mr. Speaker, is for them to step up to the plate and them to really put their intent into purposes and into effect; that is on the Gephardt amendment which says we will have an amendment to the constitutional amendment that will emphatically and unequivocally take Social Security off the table.

They talk about their intent, Mr. Speaker. We have heard their intent

flop back and forward. They said it was on the table, they said it was off the table. Now it is time for them to put their money where their mouth is.

They say they are the party of action and not the party of words. Let us take action not on a mere symbolic commitment, not on a mere symbolic one, Mr. Speaker, like the Flanagan amendment, but a real-teeth amendment, enforceable amendment, like the Gephardt amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Speaker, it is important that today we shed light on the scare tactics that are being used by some in the political arena to frighten America's senior citizens. Broadcasting false cuts in Social Security, these fearmongers are needlessly scaring our society's most vulnerable citizens by tying Congress' efforts of balancing the budget to alleged efforts to cheat seniors out of their hard-earned Social Security. This is inaccurate information purposely being delivered to the elderly in an attempt to conjure up false images of bone-chilling results at the cost of our American senior citizens.

These individuals who are painting the dark, inaccurate picture are doing so in an attempt to confuse and scare America's senior citizens of the reality, the true changes, that are taking place here on Capitol Hill.

Mr. Speaker, I strongly support the balanced budget amendment and commend my colleague, the gentleman from Illinois [Mr. FLANAGAN], of the Land of Lincoln, the State of Illinois, for his initiative to put everyone's name with an "aye" or a "nay" and put us all on the record in saying whether or not we want to protect Social Security.

Republicans have made it clear that Social Security must not be touched as we work to balance the budget.

I urge my colleagues on the Democratic side of the aisle to join with us in our commitment to America's senior citizens by voting to adopt the Flanagan resolution to protect Social Security.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the wonderful gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I am very grateful for every opportunity I get to protect Social Security.

But I want to do it with law, not with smoke and mirrors. Now, this is a feel-good resolution. But, of course, it means nothing, absolutely nothing.

Now, I like to do things that feel good, but I am paid to legislate. If my colleagues want to protect Social Security, let them do something real; let them vote for the three balanced budget amendments that protect Social Security.

Let us, all of us, earn our pay, not just feel good.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time, and I commend him for bringing this important resolution to the floor.

Mr. Speaker, with the Flanagan resolution we resolve that in our efforts to bring fiscal responsibility to this institution we will not balance the budget upon the backs of older Americans.

Let us not forget that America's older citizens have borne great burdens for this country. It was my mother's generation who won World War II. Their stout hearts crushed the twin evils of fascism and communism and built a half century of prosperity at home. It is that generation of older retired Americans we have to thank for advancing this country to her rightful place of leadership in the world. They have served this country valiantly and have planned their retirement based on the Social Security system.

We shall not repay their sacrifices by threatening the incomes of older Americans. The real party that wants to cut Social Security is the party of Alice Rivlin, the Democratic Party.

The only plan to cut Social Security that came out in the last election was in President Clinton's secret memo to drastically cut that program. The Clinton administration's record is clear. They taxed Social Security. No Republican voted for that. They cut Medicare. No Republican voted for that.

Let us set the record straight: Democratic fearmongers are wrong. This Republican Congress will never, never, never, vote to cut Social Security benefits.

We can and will balance the budget without touching Social Security. If my colleagues in the Democratic Party are sincere, they will quickly vote unanimously to pass the Flanagan resolution and protect older Americans and then pass the balanced budget amendment to protect the country from runaway debt caused by 40 years of tax-and-spend policies.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Michigan [Mr. DINGELL].

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, this resolution has no more meaning and no more use than side pockets on a cow. This is a fraud. This is a sham.

My Republican colleagues are suddenly concerned that the senior citizens have discovered that nowhere in this amendment to the Constitution which they are pushing is there any protection for senior citizens on Social Security. So all of a sudden they come forward with this wonderful document, but this document means nothing. It has no more significance than the soup made from the shadow of a pigeon which stood in place yesterday.

It affords no protection to the senior citizens of this country whatsoever. It can be ignored at any time the Congress chooses. It has no enacting clause. It has no force and effect on the rules of the House or Senate.

□ 1530

It has no constitutional meaning, it is absolutely nothing, it is a sham, it is a fraud, it is nothing.

I will tell my Republican colleagues: You can run but you cannot hide. And, you assuredly cannot hide behind this nonsensical piece of hooey.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. LAHOOD].

Mr. LAHOOD. I thank the gentleman for yielding this time to me.

Mr. Speaker and ladies and gentleman, I do not know a politician anywhere in America, not one, not one Democrat, not one Republican anywhere in this House that wants to cut Social Security. The biggest fig leaf is to have the distinguished Democratic whip come on the floor and offer 4 minutes and 50 seconds of remarks speaking against the resolution and then tell us he is going to support it. He does not want to cut Social Security; I do not want to cut Social Security, no Republican wants to cut Social Security. The gentlewoman from Colorado does not, I know. Nobody does. So do not stand there, do not come to the floor, do not accuse us of wanting to do that.

Help us pass the resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. WYDEN].

(Mr. WYDEN asked and was given permission to revise and extend his remarks.)

Mr. WYDEN. Mr. Speaker, it seems to me that it is very revealing that when my Republican friends feel strongly about the budget, they enshrine their views in the Constitution. But when it comes to protecting senior citizens, for the last half hour we have heard every manner of argument as to why Social Security really does not need constitutional protection.

I am of the view that on a bipartisan basis Social Security deserves legally binding, constitutionally protected safety. Unfortunately, this resolution does not do that.

Senior citizens deserve better, and on a bipartisan basis we should make sure that it gets done.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. WYDEN. I yield to the gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman for yielding.

I really appreciate what the gentleman was saying because he is absolutely right. We all do not want to touch Social Security, and there is one way we can guarantee it, and that is to vote for the amendment that says in

the Constitution it is not on the chopping block. When it comes to these resolutions, we have a statement from Mr. CLINGER about a prior resolution of this order, who said it was totally devoid of substance and offered little more than a parliamentary parlor game. That is what resolutions are, they are something that you hide behind but they do not stop a budget knife.

So we may not want to touch it, but the budget knife can go ahead and touch it unless we do the real thing.

I really thank the gentleman from Oregon [Mr. WYDEN] for yielding and for pointing that out because we want to make that point. We want to do the real thing, and that is to protect Social Security with a protecting amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. CHAMBLISS].

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Speaker, when I was elected to this Congress in November, I felt a tremendous sense of honor and pride to have the opportunity to represent the many good people of Georgia's Eighth District. I was excited to advance the contract that I made with the people of my district, in particular the piece of legislation we will take up today, the balanced budget amendment.

Poll after poll reflects the same truth, Mr. Speaker: The people want this Congress to deal with the deficit, and they want us to pass a balanced budget amendment.

Mr. Speaker, the American people elected a new leadership that will take up the critical issues that will effect the type of change demanded in every town hall and around every kitchen table in America.

Now that the former leadership is reduced to a minority status, they have taken on a new strategy for killing the amendment: scare tactics. It seems odd that the Democrats are such experts in telling the American people and the new majority what programs it must cut to balance the budget when it has been utterly incapable of doing so in recent memory. I have a news flash for the old leadership: We can balance the budget, and we will balance the budget. But make no mistake about it, we will not sacrifice the future of our senior citizens to do it.

I commend the gentleman from Illinois for offering this well-meaning resolution as our way of assuring the elderly of our society that this leadership will not renege on this Government's contract to provide for seniors, one of whom is my mother, in their sunset years.

I would also like to personally take this opportunity to assure the seniors that I represent, seniors in my home town of Moultrie, and in towns like Cochran, Eastman, and Pearson that our Contract With America is for real and that this balanced budget amend-

ment is for real. We will not turn our backs on the men and women who worked so hard to make this country the greatest democracy the world has ever known, and so I urge Members to adopt this resolution.

Mr. Speaker, let us send a message of assurance to seniors of this great Nation.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the dynamic gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I thank the gentlewoman for yielding.

Mr. Speaker, I offered a free standing substitute that would have protected Social Security and would have met the argument that, "Oh, you could then call anything Social Security."

I offered an amendment to the Committee on Rules which would have taken the Barton amendment and simply added language that said, "When you calculate whether or not there is a surplus or a deficit, you exclude Social Security," and defined it to be an old age and survivors program with payments.

So it was not open to that.

The Committee on Rules said "No." I know now why they took Claude Pepper's picture down. They did not want Claude Pepper looking on when they killed an amendment that would have protected Social Security. But then they had second thoughts. They came up with about as meaningless a resolution as I have ever seen. Members keep saying, "We don't want to cut Social Security." But you are trying to pass a constitutional amendment that will create an incentive to cut Social Security because under the amendment being offered, if there is a deficit elsewhere, it could be offset by a Social Security surplus.

We have had the Speaker of the House say that we must recalculate the consumer price index so that it provides less. That is primarily a means of reducing cost-of-living increases for Social Security recipients.

Put the two together.

The Speaker threatens the Bureau of Labor Standards and says, "You had better cut the CPI." The main fiscal impact of reducing the consumer price index is to reduce the cost-of-living increase for Social Security recipients, which then swells the surplus, which you then, under your constitutional amendment, without our language, will use to hold down that deficit.

So this piece of paper, being on Social Security and knowing that you are going to create a constitutionally driven incentive to reduce benefits to help with the surplus, is like being on the Lusitania and getting word that the Titanic has just set sail to save you.

You have an entirely meaningless resolution, not binding on anybody, that is supposed to offset a constitutionally created incentive that people will have to cut Social Security.

Mr. FLANAGAN. Mr. Speaker, I thank the Titanic speaker for his remarks.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. BRYANT].

(Mr. BRYANT of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Tennessee. Mr. Speaker, in the debate over a balanced budget amendment, we are hearing from the opposition a worn-out and failed argument. They use it every time we try to bring spending under control.

They are trying to prevent fiscal responsibility and change.

The opponents of a balanced budget amendment are now saying it will cut into Social Security.

Mr. Speaker, that just is not true and is misleading.

Mr. Speaker, our budget can be balanced without touching Social Security.

Social Security benefits will not be affected by a balanced budget amendment. I would not support one if it did.

I do not want to hurt the 900,000 people in my State who benefit from Social Security.

Mr. Speaker, we owe those who have paid their hard-earned dollars into Social Security their benefits.

Mr. Speaker, for those out there who would like to vote for this, I commend this resolution to my colleagues for their full support.

□ 1540

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, Members, I thank the gentlewoman from Colorado [Mrs. SCHROEDER] for yielding this time to me.

Mr. Speaker, Members, all this rhetoric this afternoon would not be necessary if, in fact, the Committee on Rules would have adopted the amendment offered by the gentleman from Massachusetts [Mr. FRANK] or my amendment to the Barton bill which would provide an exclusion from Social Security in the balanced budget amendment. So, all this talk of protection and all the other rhetoric we are hearing, would not have been necessary, but let me quote for my colleagues from some senior citizen organizations which have written to us in the past couple of days. Probably the most respected is the Association of Retired Persons, AARP.

They indicated that the House Committee on the Judiciary voted to keep Social Security on the table. To exclude it, according to its chairman, would require us to make spending cuts more sweeping than currently contemplated. This scare tactic is a quote from our chairman of the Committee on the Judiciary, and it is from a senior citizen group who represents seniors throughout the country who received a news release here from the National Committee to Preserve Social

Security. They indicate that this rule shows, and I quote:

"This rule shows it's gimmicks as usual. Instead of allowing a simple up and down vote on Social Security, the House instead will vote on the meaningless Flanagan concurrent resolution. Seniors will not be fooled."

Here is a senior group indicating that.

Another senior group did a poll nationally, not of only seniors, but of all Americans, and they indicated that a national poll shows that 80 percent of the voters want Social Security excluded from the balanced budget amendment. So, these are people who are asking us to include it as part of the balanced budget amendment and not this meaningless resolution.

What is a sense-of-Congress resolution? As the gentlewoman from Colorado indicated, the way that we made this pickle National Pickle Week was to pass a resolution just like this. So the resolution we are going to vote on shortly has the same effect as making this pickle National Pickle Week.

The seniors will not be fooled. That is what the effect is.

Does this go into the statutes? No.

Does the President sign it? No.

I am reminded of the commercial of kids sitting around the table. The leadership looked, and they found out they needed to have this introduced, and they said, "Let Mikey do it."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Speaker, my colleagues on the Democrat side of the aisle continue to engage in political maneuvering, but, Mr. Speaker, the facts are very simple. For 25 years the Democrats could not or would not balance our budget. For 25 years the Democrats played games with America's books. For 25 years they recklessly placed Social Security in jeopardy.

Well, at long last there is finally some good news because we Republicans will stand firm for all of our people, especially our seniors. Republicans will ensure we have a real balanced budget in place and that Social Security will be soundly protected. We are not going to play games and flap at the jaw like the Democrats who could not produce in 25 years.

I say to my colleagues, "Work with us, and watch us do it right before your eyes now, in real time, so that all of our people, especially our seniors, folks like my mom and dad who are counting on Social Security, will say, 'Thank goodness we have a new Republican majority'."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. HILLEARY].

(Mr. HILLEARY asked and was given permission to revise and extend his remarks.)

Mr. HILLEARY. Mr. Speaker, I rise in strong support of the House Concurrent Resolution 17 and congratulate the gentleman from Illinois [Mr.

FLANAGAN] for raising this important issue.

The folks in my district have been frightened by some interest groups into believing that the balancing of the Federal budget will mean cuts in Social Security benefits. Social Security actually takes in more taxes than it pays out in benefits. The real threat to the future of the Social Security system is the annual budget deficits of \$200 billion.

As long as the Federal Government continues to fund wasteful and inefficient programs, the Social Security trust fund, which had a surplus of over \$50 billion in 1994, will continue to fund wasteful projects. The best way to protect the trust fund is to restrain deficit spending and to balance the Federal budget.

This legislation before us makes it clear that the Congress cannot touch Social Security benefits as it makes the tough decisions to cut programs and balance the budget. Our job, my colleagues, is to support this resolution.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. ENGLISH].

(Mr. ENGLISH of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise in support of the resolution offered by my colleague from Illinois.

During my campaign, Mr. Speaker, I promised the voters in my district that I would work to balance the Federal budget. The new reform Congress has an unprecedented opportunity to put a decisive end, once and for all, to the Government's unlimited power to spend and borrow. It is time we apply to the Federal budget the common discipline of the family budget. I have yet to meet a single individual in my district who does not agree that Government spending is out of control and that something needs to be done about it.

We actually hear Members of this body who will argue that a balanced budget amendment is a dangerous idea. How do they justify this argument? They will prey on the vulnerabilities of the voters. They will say that those in favor of this amendment will balance the budget at the expense of older Americans by cutting Social Security. This is simply nonsense.

We need to streamline Government in areas which have been abused, inflated and mismanaged before even considering sacrificing a fragile vital program like Social Security. At a time when some are talking about a new covenant we should signal our clear intent to honor our social contract with those who have participated in and contributed to the Social Security system.

I support this amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise in strong support of this resolution offered by my neighbor, the gentleman from Illinois [Mr. FLANAGAN].

Before we recess tomorrow, Mr. Speaker, this body should pass a strong balanced budget amendment. Passage of the Flanagan resolution will help ensure the balanced budget amendment meets its goal of protecting senior citizens.

Mr. Speaker, it is our enormous national debt that places Social Security at tremendous risk, not a balanced budget amendment. It is the trust fund behind that debt that allows Congress to mask the true size of that debt, and big spenders in Congress are too often tempted to dip into these critical reserves to fund their big government initiatives. This resolution makes clear that Congress will work toward a balanced budget amendment that ultimately protects, not endangers, American senior citizens.

I join my colleagues in supporting this resolution to ensure that the budget will not be balanced on the backs of seniors, and it will ensure that future retirees will have Social Security.

Mrs. SCHROEDER. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, this is a trust. This is a trust we have with the American people.

In talking to a person in my district who worked in a simple, hard-working job; he asked if he would be able to have the confidence that Social Security exists when he retired. Mr. Speaker, I think it is most important that we uncover the coverup. We really need to talk about bipartisanship. We can get to the bottom of this by supporting the Gephardt-Bonior Social Security protection.

Mr. Speaker, it is so very important that we acknowledge that this could be easily repealed. Mr. Speaker, let us support the Gephardt-Bonior amendment.

Mrs. SCHROEDER. Mr. Speaker, I yield the balance of my time to the gentleman from Missouri [Mr. GEPHARDT], our distinguished Democrat leader.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Missouri is recognized for 2½ minutes.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

□ 1550

Mr. GEPHARDT. Mr. Speaker, I urge my colleagues to defeat the Flanagan resolution, to defend one of the greatest acts of Government that this Nation has ever known, the Social Security Act. Social Security needs to be defended, because Republican Members of the House are pushing a balanced budget amendment that could open the

floodgates to devastating cuts in this program.

Let us be clear about what is at stake: Social Security is not just another line on a spreadsheet. It is not just a poker chip to be bargained away while Republicans renegotiate their faulty contract. Social Security is every American's guarantee of dignity and decency and security in their golden years.

That is why this party, the Democratic Party, fought to create it 60 years ago. And now, six decades later, it is incomprehensible that an elderly American would die in poverty. That is our contract with the American people, a contract not forged in a focus group, but on the bedrock of decency and humanity that has always been at the heart of this country.

For years now we have been saying let us balance the Federal budget. Let us pass a constitutional amendment even to do it. But let us not balance our books on the backs of the senior citizens of this country.

The fact is Social Security pays its way. And if we try to use it to close the deficit, we threaten the program's very solvency and integrity.

When we ask Republicans what gets cut, who gets hurt, they squirm in their seats. When we say promise us you will not cut Social Security, they say trust us. They give us the Flanagan resolution, a nonbinding, noncommittal, and in my view, nonsensical fig leaf that promises nothing and accomplishes nothing.

We can do this. We can defeat this see-through resolution and include an amendment that will truly exempt Social Security. If we want to pass a resolution, if Social Security is so important that we need this resolution, why would we not put this in the Constitution? If it is important enough to say in the Constitution we are going to balance the budget, let us put into the Constitution we will not balance the budget on the backs of the senior citizens of this country.

Do not vote for a fig leaf. Do not vote for a see-through resolution. Vote for the real thing. Vote for the Gephardt amendment and put the exemption in the Constitution of the United States of America.

Mr. FLANAGAN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 2½ minutes.

Mr. FLANAGAN. Mr. Speaker, we have heard the arguments for and against this resolution and, in my opinion, the proponents have won the day. I see no reason why anyone would object to this piece of legislation which states in a loud and clear voice, that the Social Security trust fund is off limits when complying with the balanced budget amendment.

My resolution, along with House Joint Resolution 1, the Barton-Hyde-Tate balanced budget amendment, are important first steps in guaranteeing

that the retirement benefits of the elderly are preserved and protected.

Mr. Speaker, never-ending deficit spending compels Congress to keep piling more annual budget deficits on top of the current \$4.6 trillion national debt. Consequently, the Government must continue to borrow from the Federal old-age and survivors insurance trust fund and Federal disability insurance trust fund. If that trend continues through 2013—the year Social Security benefit payments are projected to exceed what the system collects in payroll taxes—Congress then will have to decide what benefits will be reduced or which payroll taxes are raised.

Mr. Speaker, we must stem that tide now and affirmatively state that these trust funds will be held harmless in budget balancing considerations.

The only way Congress can keep its promises to the American people, including Social Security, Medicare, student financial aid, and a whole host of other Federal programs, is for the Congress to balance the budget. House Joint Resolution 1 will do just that, and House Concurrent Resolution 17 will help ensure that senior citizens will not have to be sacrificed to obtain deficit reduction.

The important thing is that we protect Social Security against being altered solely for the purpose of balancing the budget. And that's exactly what this resolution does.

Mr. Speaker, I urge all my colleagues to support my resolution, as well as the Barton-Hyde-Tate balanced budget amendment.

Mr. REED. Mr. Speaker, I rise in support of protecting Social Security, but I would like Rhode Island's senior citizens to realize that the Flanagan resolution, House Concurrent Resolution 17, is weak, nonbinding, and political cover.

Supposedly, House Concurrent Resolution 17 puts the Congress on record as opposing cuts in Social Security to achieve a balanced budget. However, nothing could be further from the truth.

Unfortunately, House Concurrent Resolution 17 is the same kind of nonbinding resolution that was used in past Congresses to commemorate "National Pizza Week"—concurrent resolutions are not law and they certainly do not supersede the Constitution of the United States.

If Members truly want to protect Social Security from the cuts needed to achieve a balanced budget, they should vote for the WISE, GEPHARDT, OWENS, or CONYERS versions of the balanced budget amendments. These proposals would really protect Social Security because they would prohibit Social Security cuts under the Constitution.

Indeed, if resolutions and laws are enough to protect Social Security, why aren't they sufficient to force Congress to balance the budget. As a wise person once said, "what's good for the goose is good for the gander."

Mr. Speaker, I will vote for the Flanagan resolution, but more importantly I will support those versions of the balanced budget amendment which provide constitutional protection for Social Security.

Mr. YOUNG of Florida. Mr. Speaker, as one who has protected the fiscal integrity of Social Security Program as vigorously as any Member in this House, I rise in strong support of this resolution.

Social Security is a self-financing program where the payroll taxes paid by employees and employers go into a separate, actuarially sound trust fund and can only be used to pay retirement benefits to retired and disabled workers and their families. The Social Security trust funds cannot be used to provide for our national security, to pay for health care, or to build roads or bridges or anything else—except—Social Security. They can only be used to pay the benefits promised to retired workers.

This resolution expresses the sense of this Congress that in implementing a constitutional amendment providing for a balanced Federal budget, the Social Security Program and trust fund should be off limits. It reaffirms what I have long said and supported that in reducing the Federal budget deficit we should look to cutting spending in those areas which are driving our Nation deeper into debt. That certainly is not the Social Security trust fund which actually runs an annual surplus, last year which totaled \$61 billion.

The passage of this legislation prior to the general debate on the balanced budget amendment reaffirms our commitment to protect our Nation's Social Security recipients from attempts to balance the Federal budget at their expense. Instead, with the passage of the balanced budget amendment, Congress will be forced to make the tough choices to reduce Government spending, the kind of votes I have made time after time in this House, instead of succumbing to the temptation to raid the Social Security trust funds.

As a Member who probably represents more Social Security beneficiaries than any Member of this House, I am well aware of the tactics that have been used by those who want to kill the balanced budget amendment by scaring older Americans into believing that it will have a severe impact on the Social Security program. As I said time after time, I believe a balanced budget amendment actually ensures the financial security of the Social Security trust fund and benefits for current and future retirees.

Without the fiscal discipline imposed by a balanced budget amendment, Congress will allow the national debt to continue its upward spiral, driving our Nation deeper into debt as the annual interest payment to finance our deficit spending continues to be the fastest growing component of the Federal budget.

These rising interest payments, estimated to be \$339.1 billion in the current fiscal year, coupled with the past inability of Congress to set fiscal priorities and make the tough decisions about which programs to fund and which programs to eliminate, are the real threat to older Americans, not the balanced budget amendment.

Rather than cast the tough votes to cut spending and reduce the reach of the Federal Government required to get our fiscal house in order, Congress has continued to spend now and worry about the deficit later. The day of reckoning, however, that I have long warned about has arrived as our Nation faces a rising mortgage payment on our Nation's debt. The discipline imposed on Congress by a balanced budget amendment will force the House and

Senate to once and for all eliminate those programs our Government can no longer afford, to permanently reduce spending and bring the Federal budget into balance. This relieves the future threat to the Social Security Program because Congress will wean the Federal Government off American tax dollars by cutting spending on programs, rather than by cutting Social Security benefits or raising Social Security payroll taxes.

There are those who say that the balanced budget amendment should include a reference to the Social Security trust fund. Just the opposite is true, however. By writing into the Constitution an exemption for the Social Security Program, Congress will leave a loophole to shelter a whole host of other programs for scrutiny. Congress could later move program after program under the veil of the Social Security trust fund to provide protection from the reach of the balanced budget amendment. In the end, the fiscal integrity and independence of the Social Security Program would be violated, not protected. Equally important, Congress would once again avoid casting the tough votes on those programs that are the cause for our rising national debt.

As the founder and chairman of the bipartisan Social Security Caucus, I have long led the battle to preserve the long-term financial stability of the Social Security trust fund and ensure that the promised retirement benefits will be available to current and future generations of American workers. A constitutional amendment to require a balanced Federal budget will remove any incentives for Congress to tamper with Social Security benefits, by finally forcing Congress to make the tough decisions required to address the threat posed to all of us by an ever-increasing national debt. Social Security is not the cause of our Nation's growing debt. It certainly should not be and will not be a part of the solution as long as this Member serves in the House.

Mr. Speaker, I support this legislation today to reaffirm the commitment of this Congress to protect the Social Security Program while at the same time taking definitive action to eliminate Federal deficit spending with the enactment of a balanced budget constitutional amendment.

PARLIAMENTARY INQUIRY

Mr. FATTAH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman will state it.

Mr. FATTAH. Mr. Speaker, I would like to know the legal effect of the resolution in front of us. Is it binding?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. FATTAH. I am trying to understand the distinction between a concurrent resolution as it is presently before the House.

The SPEAKER pro tempore. Pursuant to House Resolution 44, the previous question is ordered on the concurrent resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLANAGAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 412, nays 18, not voting 4, as follows:

[Roll No. 40]

YEAS—412

Abercrombie	Crapo	Hansen
Ackerman	Creameans	Harman
Allard	Cubin	Hastert
Andrews	Cunningham	Hastings (FL)
Archer	Danner	Hastings (WA)
Armey	Davis	Hayes
Bachus	de la Garza	Hayworth
Baessler	Deal	Hefley
Baker (CA)	DeFazio	Hefner
Baker (LA)	DeLauro	Heineman
Baldacci	DeLay	Herger
Ballenger	Dellums	Hilleary
Barcia	Deutsch	Hilliard
Barr	Diaz-Balart	Hinchey
Barrett (NE)	Dickey	Hobson
Barrett (WI)	Dicks	Hoekstra
Bartlett	Dixon	Hoke
Barton	Doggett	Holden
Bass	Dooley	Horn
Bateman	Doolittle	Hostettler
Becerra	Dornan	Houghton
Beilenson	Doyle	Hoyer
Bentsen	Dreier	Hunter
Bereuter	Duncan	Hutchinson
Berman	Dunn	Hyde
Bevill	Durbin	Inglis
Billbray	Edwards	Istook
Blirakis	Ehlers	Jackson-Lee
Bliley	Ehrlich	Jacobs
Blute	Emerson	Jefferson
Boehkert	Engel	Johnson (CT)
Boehner	English	Johnson (SD)
Bonilla	Ensign	Johnson, E.B.
Bonior	Eshoo	Johnson, Sam
Bono	Evans	Johnston
Borski	Everett	Jones
Boucher	Ewing	Kanjorski
Brewster	Farr	Kaptur
Browder	Fawell	Kasich
Brown (CA)	Fazio	Kelly
Brown (FL)	Fields (TX)	Kennedy (RI)
Brown (OH)	Filner	Kennelly
Brownback	Flake	Kildee
Bryant (TN)	Flanagan	Kim
Bryant (TX)	Foglietta	King
Bunn	Foley	Kingston
Bunning	Forbes	Klink
Burr	Ford	Klug
Burton	Fowler	Knollenberg
Buyer	Fox	Kolbe
Callahan	Frank (MA)	LaFalce
Calvert	Franks (CT)	LaHood
Canady	Franks (NJ)	Lantos
Camp	Frelinghuysen	Largent
Cardin	Frisa	Latham
Castle	Frost	LaTourette
Chabot	Funderburk	Laughlin
Chambliss	Furse	Lazio
Chapman	Gallely	Leach
Chenoweth	Ganske	Levin
Christensen	Gejdenson	Lewis (CA)
Chrysler	Gekas	Lewis (GA)
Clayton	Gibbons	Lewis (KY)
Clement	Gilchrist	Lightfoot
Clinger	Gillmor	Lincoln
Clyburn	Gilman	Linder
Coble	Gonzalez	Lipinski
Coburn	Goodlatte	Livingston
Coleman	Goodling	LoBiondo
Collins (GA)	Gordon	Lofgren
Collins (IL)	Goss	Longley
Collins (MI)	Graham	Lowe
Combest	Green	Lucas
Condit	Greenwood	Luther
Conyers	Gunderson	Maloney
Cooley	Gutierrez	Manton
Costello	Gutknecht	Manzullo
Cox	Hall (OH)	Markey
Coyne	Hall (TX)	Martinez
Cramer	Hamilton	Martini
Crane	Hancock	Mascara

Matsui	Pickett	Spence
McCarthy	Pombo	Spratt
McCollum	Pomeroy	Stark
McCrery	Porter	Stearns
McDade	Portman	Stockman
McDermott	Pryce	Stokes
McHale	Quillen	Studds
McHugh	Quinn	Stump
McInnis	Radanovich	Stupak
McIntosh	Rahall	Talent
McKeon	Ramstad	Tanner
McKinney	Rangel	Tate
McNulty	Reed	Tauzin
Meehan	Regula	Taylor (MS)
Meek	Reynolds	Taylor (NC)
Menendez	Richardson	Tejeda
Metcalf	Riggs	Thomas
Meyers	Rivers	Thompson
Mfume	Roberts	Thornberry
Mica	Roemer	Thurman
Miller (CA)	Rogers	Tiahrt
Miller (FL)	Rohrabacher	Torkildsen
Mineta	Ros-Lehtinen	Torres
Minge	Rose	Towns
Mink	Roth	Trafigant
Moakley	Roukema	Upton
Molinaro	Roybal-Allard	Velazquez
Mollohan	Royce	Vento
Montgomery	Rush	Volkmer
Moorhead	Sabo	Vucanovich
Morella	Salmon	Waldholtz
Myers	Sanders	Walker
Myrick	Sanford	Walsh
Nadler	Sawyer	Wamp
Neal	Saxton	Ward
Nethercutt	Scarborough	Waters
Neumann	Schaefer	Watts (OK)
Ney	Schiff	Waxman
Norwood	Schroeder	Weldon (FL)
Nussle	Schumer	Weldon (PA)
Oberstar	Seastrand	Weller
Obey	Sensenbrenner	White
Olver	Serrano	Whitfield
Ortiz	Shadegg	Wicker
Orton	Shaw	Wilson
Owens	Shays	Wise
Oxley	Shuster	Wolf
Packard	Sisisky	Woolsey
Pallone	Skeen	Wyden
Parker	Skelton	Wynn
Pastor	Slaughter	Yates
Paxon	Smith (MI)	Young (AK)
Payne (NJ)	Smith (NJ)	Young (FL)
Payne (VA)	Smith (TX)	Zeliff
Peterson (FL)	Smith (WA)	Zimmer
Peterson (MN)	Solomon	
Petri	Souder	

NAYS—18

Clay	Klecicka	Skaggs
Dingell	Moran	Stenholm
Fattah	Murtha	Tucker
Gephardt	Pelosi	Visclosky
Geren	Poshard	Watt (NC)
Kennedy (MA)	Scott	Williams

NOT VOTING—4

Bishop	Thornton
Fields (LA)	Torricelli

□ 1613

Mr. MORAN and Mr. KENNEDY of Massachusetts changed their vote from "yea" to "nay."

Mr. HASTINGS of Florida and Mrs. MALONEY changed their vote from "nay" to "yea."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore (Mr. KOLBE). Pursuant to House Resolution 44 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union

for the consideration of the joint resolution, House Joint Resolution 1.

□ 1615

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States, with Mr. WALKER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the joint resolution is considered as read the first time. Under the rule, the gentleman from Illinois [Mr. HYDE] will be recognized for 1½ hours, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 1½ hours.

The chair recognizes the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, it is clear, judging from the minority party's reactions, that our quest to achieve a balanced budget has already encountered fierce resistance. This is evidenced by the cascade of amendments they have offered to the legislation barring unfunded mandates and to the balanced budget amendment itself.

Why this lip service to the concept, Mr. Chairman, but genuine obstruction to the process? Mr. Chairman, as I was asking, why do the Democrats give lip service to these concepts of banning unfunded mandates and having a balanced budget amendment, but yet the process seems to be strewn with land mines?

Mr. Chairman, I think, and this is just my personal opinion, they do not want a balanced budget amendment, despite what they say, nor do they want to forego unfunded mandates, because it is through their mandates and deficit spending that Government grows bigger and bigger and bigger. The minority party has a long-standing romance with big Government, and unfunded mandates and deficit spending are the flowers and the candy they keep bestowing on their beloved.

Why do we need a balanced budget amendment? The current statistics, the figures, the money, are both inescapable and staggering. Federal debt is now \$4.7 trillion and growing; the 1995 deficit, \$176 billion, and by the year 2005 the deficit will be, if current expenditure rates continue, \$421 billion. As a matter of fact, Mr. Chairman, the Federal Government has run deficits in 33 of the last 34 years.

Mr. Chairman, interest on the national debt is 14 percent of Federal spending. It is the third largest item in the budget after Social Security and defense. It now totals \$235 billion, and next year debt service will jump to \$260 billion. By the year 2000 it will be \$310 billion and still counting, and still mounting.

□ 1620

Foreign creditors now own 20 percent of our debt. That is the reality lurking behind this romance with ever-bigger Government that seems to consume the Democrats.

The balanced budget amendment is much more than a mere symbol. It would establish a binding, legal framework, a disciplined structure requiring Congress to make the tough choices with a bias toward cutting spending, not increasing the debt and not increasing taxes.

In 1982, I wrote an op-ed piece expressing skepticism about a balanced budget amendment. Thirteen years later, that skepticism has dissipated. I am convinced nothing is going to work short of a balanced budget amendment. To date we have rejected all serious efforts to hold back this tidal wave of red ink that threatens to inundate us all. In the past 10 years, three major legislative efforts have sought to reverse our chronic deficit pattern. Two of them have failed and the third is destined to do so. I am convinced only a long-term permanent legal commitment provided by a constitutional amendment will harness a runaway Congress in pursuit of a balanced budget amendment.

In short, this amendment is essential to force Congress to make the kind of difficult choices it has evaded for years. It is a last gasp of a fiscal policy suffocating from overspending.

The balanced budget amendment is a procedural enforcement tool. It is not a detailed plan.

Much has been made about the failure of our amendment to specify where the cuts are going to come and when they will be made.

I suggest that a constitutional amendment should never include a laundry list of spending cuts. It is a statement of general principles, not an inventory of details. It is irresponsible for balanced budget amendment critics to demand in a single legislative vehicle a specific balanced budget plan covering the next 7 years as a precondition for passing the amendment. Making complete and accurate spending and revenue projections covering the entire 7-year timeframe is impossible at this time and they know it. It would be the sheerest speculation and more misleading than informative.

As George Will has said, "The Constitution stipulates destinations. It doesn't draw detailed maps."

This year as part of the annual budget process, Congress will begin to identify what specific cuts need to be made between now and 2002. Passing the balanced budget amendment will give Congress the opportunity to reexamine virtually every function of Government. Like the base closing commission, it will impose a systematic reform that will force elected officials to make those tough decisions. The result will be what the voters said they want, a smaller, less intrusive Government and more power to reside where it be-

longs, with the States, with local communities, and with American families.

The long-neglected 10th amendment will be resuscitated and so will our economy. What we need to do is to convince America that we will make the cuts and that we have the will to make the cuts necessary to bring the budget into balance. That was the clear signal of November 8 last year.

We have heard so much about Social Security and we have heard it from the party that has taxed Social Security in the last budget, taxed the Social Security benefits that they so cavalierly refer to as sacred. It seems to me that was a violation of sanctity, but nonetheless, that is their problem.

Social Security is off-limits. It is not on the table. The Republican Party, the Republican leadership has made it clear that Social Security will not be cut.

The budget can be balanced by the year 2002 without touching Social Security.

One of my authorities for that is the distinguished gentleman from Texas and a fine Democrat named CHARLES STENHOLM.

It should be noted that a balanced budget amendment will provide greater protection for each American's investment in Social Security because by balancing the budget, no additional Government bonds will have to be issued to finance the deficit. Thus, there will be no more borrowing from the trust fund which truly protects the future of our Nation's retirees.

In contrast, if there is no amendment, starting in the year 2013, the Federal Government will have to begin paying back from general revenues the trillions it will have borrowed by then from the trust funds. Congress will then have to face the inevitable task of raising payroll taxes and/or reducing benefits.

The Contract With America clearly supports senior citizens. It helps seniors in several ways. It raises the Social Security earnings limit to \$30,000 over 5 years. It repeals the onerous Clinton/Democrat tax increases on Social Security retirees. It provides a \$500 elder care tax credit and tax incentives to help individuals purchase private long-term care insurance.

Not only will the balanced budget amendment protect our seniors but it will protect our children and their children as well. We steal from them by thrusting the metastasizing Federal debt on their shoulders. We will continue to commit generational larceny if we fail to reduce the debt. It can only be done with the help of a balanced budget amendment.

One of the most interesting lines last night in the President's State of the Union speech was this: "None of us can change our yesterdays, but all of us can change tomorrows." Well we better be careful how we change tomorrows,

by lightening the debt on our grandchildren's backs or by exacerbating it. If we do not have a balanced budget amendment, you know what is going to happen and it is no present our grandchildren or future generations.

Slowing the rate of growth of spending is the answer. Under current policies, spending will increase by 5.4-percent annually over the next 7 years and total spending during that period amounts to \$13 trillion. We can balance the budget by 2002 if we hold spending growth to about 3-percent annually.

If we do not act, what is going to happen? The longer we put this off, the tougher it gets. Where will we find the money for essential Government services and programs when the debt service grows to 30 percent or 40 percent of Federal spending? How will the private sector finance business startups, job creation, with debt service eating up almost half of the private investment funds generated each year? What will we do when the foreigners close their checkbooks?

The American taxpayer deserves and demands relief. We need bold action to regain the confidence of the investment community here and abroad. More dollars will be available to the private sector. Savings rates will increase. Interest rates will be lower. Capital investment will be encouraged. More jobs available for more Americans.

If the last election did not convert you, perhaps you are beyond redemption. But to the rest I say, seize the day, and now is the day.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to House Joint Resolution 1 and have long opposed the concept a constitutional amendment to balance the budget because it seeks to trivialize our most fundamental document by inserting an ill-defined and unenforceable promise about budgetary policy. The Constitution deals with real—not illusory—promises to safeguard the rights and liberties of all Americans. And while many are quick to point to simplistic Gallup polls indicating widespread support for such an amendment, they severely underestimate the real desire of the American people to see their Government take real responsibility for reducing the deficit—rather than simply taking credit for promising to do so after two more Presidential elections have passed into history by the year 2002.

Make no mistake. All Members of this body want to see the Federal budget balance. Its crushing weight will dampen the dreams of our children, constrain capital flows, increase interest rates, and exert often regressive influences on the economy. Only using the Constitution both trivializes that precious document and delays action for 7 years. In the past 2 years, President Clinton and the Congress didn't

delay but acted on a budget that has brought us 3 consecutive years of deficit reduction for the first time in modern history.

That is the way it should be, but that is not what House Joint Resolution 1 is all about. The proposed amendment is the epitome of "trust me" politics. It rightfully is the heart of the Republican Contract With America—because it is all style and symbolism, and no substance.

Most significantly, the new majority refuses to put its money where its mouth is by supporting the truth in budgeting concept. Not only that, they blocked our right to offer that measure as a perfecting amendment. Why is that? Are Republicans hiding the real numbers because as one of their leaders said that the "Congress may buckle," or because as one of the majority members in the Judiciary Committee said that the "States may buckle?"

What I object to most is the fact that I believe that its proponents, relying largely on public opinion polls, are trying to buy their budget cutting wings on the cheap. And because they are not answering fundamental questions raised by the amendment, they are selling the American people a pig in a poke. Well, I am from Detroit, and we know that when buying a car, we first need to look under the hood.

This budget is going to force over \$1 trillion in cuts, but no one will say from where. Will our military have to be cut in half? Will Medicare be on the chopping block. Will veterans' benefits be up for grabs? How about student loans. When we tried to provide protections for these programs in the Judiciary Committee, the Republicans in lockstep said no. And, yes, what about Social Security?

Upon taking office, the new majority promised that Social Security would be protected from the hemorrhagic budget knife which must surely follow if the proposed balanced budget amendment to the Constitution passes.

Less than 7 days later, one of its chief lieutenants, the respected Judiciary chairman, HENRY HYDE, said during committee markup of the measure, that Social Security couldn't be taken off the table because if it was, the cuts in other programs would be "too draconian?"

Senior citizens of America beware. The balanced budget amendment removes current "off-budget" protections of Social Security and places the program on the chopping block. It is clear and simple. House Concurrent Resolution 17, a Republican proposal to provide implementing legislation without touching Social Security is a mirage, totally unenforceable, without any sanction if Congress fails to do it. The only way, I repeat the only way to protect Social Security from cuts under this amendment, is to put it in the text of the constitutional amendment.

Proponents, and particularly Republican proponents, are telling Governors and other States' representatives that

any fears that Washington will cascade Federal responsibilities to States in the form of unfunded mandates—a scenario many consider inevitable if the amendment becomes law—are magically resolved by the imminent passage of unfunded mandates legislation.

You've got to be kidding. In the 103d Congress I chaired the committee with jurisdiction over unfunded mandates. So I know that whatever unfunded mandates legislation Congress passes now, can and most likely will be superseded with subsequent legislation passing the responsibilities—but not the bucks—to the States. The amendment, in fact, is the mother of all unfunded mandates. The only way to stop that from being so is to say in the text of the constitutional amendment. But Republicans in lockstep said no to that. They stopped us from an amendment on the floor to that effect also. Starting to get the picture?

It's great to say we'll balance the budget in 6 or 7 years—well after two more Presidential elections—but how are we going to do it? Is defense going to be cut in half—even as Republicans state they'll seek increased funding? Will Medicare, veteran's benefits, student loans, or agricultural subsidies be reduced and by how much?

That evasiveness may make for good politics but do not make for good economic policy and could turn a mild recession into a dramatic economic downturn. Many countercyclical entitlement program for instance, such as unemployment benefits, require budgetary flexibility to keep our economy strong when it runs sour. Today a 1 percent increase in unemployment would increase the deficit by \$57 billion—both because of declining taxes and increasing demand for benefits. With such a proposed constitutional amendment, the Federal Government would be forced to increase taxes or cut benefits by \$57 billion during an economic contraction. This would dramatically aggravate the economy, create economic pressures increasing rather than decreasing the deficit, and generally make a bad situation far worse.

Had the constitutional amendment been ratified in 1991 when the recession combined with the savings and loan crisis created a \$116 billion shortfall in receipts, the amendment would have plunged this country into a devastating economic contraction which would have been bad for all our goals, including deficit reduction.

And the amendment's failure to provide definitions for "receipts" and "outlays" would only mean more chaos. Are loan guarantees or contingent liabilities of Government corporations considered "outlays"? We do not know from the text of the amendment. What about zero coupon bonds on the revenue side? Does Congress have the prerogative to declare certain items off budget, or outside the traditional "receipts" and "outlays" categories. It's unclear.

Further the mechanics of such an amendment are not spelled out. The budget identified in the amendment requires only estimates of overall spending and revenues, which are always inaccurate because of unanticipated economic circumstances. So what happens if revenues fall short, or there are overages in entitlement outlays at mid-year? Does Congress enact a supplemental appropriations bill? Does the President impound funds despite statutory requirements to provide outlays? Do the courts step in?

Finally, there is nothing in the proposal before us to explain what the enforcement mechanism will be if Congress fails to honor its promise to balance the budget. Do the courts step in on their own initiative and start making budget decisions will-nilly? Do impacted States and taxpayers have the right to bring suit to make Congress keep its Contract with America? Does a sequestration procedure kick in which would cut back all expenditures by a fixed amount? Do the capital markets "go on hold" while the international monetary system is kept in suspense about whether the U.S. Government will be brought to a halt? I think what this amendment does is to pass the buck ultimately to a unaccountable Federal judiciary whose role is not to decide how much the American people should be taxed and on what tax dollars should be spent. Isn't it ironic that one of the first promises of the Republican contract is to abdicate budgetary responsibility to another branch of Government. Make no mistake, if the amendment is ratified, critical decision about taxes and Federal spending could be made in a secret chamber without any checks whatsoever.

Do individuals affected by any of the above courses of action have the right to sue? Much of our information about the level of outlays on the mandatory side of the budget are not even calculable until 3 months after the fiscal year.

In the past weeks the Republican leaders have publicly admitted that they will not spell out what cuts will be necessary to bring the budget into balance because Congress' knees would buckle, or because the States' knees would buckle or because the American taxpayer's knees would buckle. Well buckle or not, the American people have a right to know. And the amendment I will be offering later will require Congress to specifically enumerate how it will eliminate the deficit in the next 7 years before it will go into effect.

Well, do not fear: By passing the amendment before us, we are on a "glide path" to a balanced budget, because that's what the Republicans say—but do not vote to specify—about the effect of the proposed amendment after only 2 weeks of consideration by Congress.

This effort is not serious, and by its snake oil promises, does not augur well

for the accountability which Americans have demanded in this new Congress.

□ 1640

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, the balanced budget amendment is a question of discipline. It is a question of financial discipline on a Congress which has had none.

Amending the U.S. Constitution is strong medicine, and in past history has occurred only to correct deficiencies in the Constitution, which was adopted in 1787, to abolish slavery, to give women the right to vote, and in other important matters such as the Bill of Rights.

I would submit the strong medicine is in order to force Congress to put America's fiscal house in order. Congress has tried and failed in the past to put discipline on itself in a statutory manner.

In 1990 we had the Bush budget agreement with discretionary spending caps and firewalls. That lasted 3 years before it was replaced by the 1993 Clinton agreement.

In 1985 we had the Gramm-Rudman law, which was amended twice before it was repealed, because the shoe started to pinch too hard.

In 1981 we had the Gramm-Latta, and in 1978 we had the Harry Byrd law that required Congress to balance the Federal budget by 1981.

To my knowledge that law still is on the books, and since 1981 the national debt has increased by almost \$3½ trillion. So we do need a constitutional amendment to force the people who serve in this Chamber and the one down the hall to start reducing the Federal budget deficit to zero so that we do not mortgage our children and grandchildren's future.

It is no secret that many of the most vocal opponents of the balanced budget amendment have big-spending records on issues of taxing and spending, and they are the ones that do not want to put this constitutional discipline on the House of Representatives so that they can go on spending as usual.

The time has come to put a stop to that, and that is why House Joint Resolution 1 should pass.

Now, tomorrow the biggest item of controversy will be the three-fifths vote that would be required both to raise taxes and to increase the national debt. I favor a three-fifths supermajority in both cases and hope that the House of Representatives will approve it.

Why should we not make it harder to increase taxes on the American people and to raise the national debt? We ought to do that so that a balanced budget amendment simply is not complied with by increasing taxes.

But also a three-fifths supermajority will require bipartisanship for future

tax increases and national-debt increases. No longer will a partisan majority be able to ram a tax increase down the throats of the American people such as happened in August 1993. It will require a consensus in order to achieve a tax increase or in order to increase the national debt.

The President last night called for consensus. We have not had consensus in these areas in the past. We ought to have consensus in the future, and the three-fifths vote will require that consensus to be had.

I would hope that this amendment would pass and be sent to the States with the three-fifths vote.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for yielding me this time.

I appreciate your leadership on our committee.

I must say, as I listen to this debate, I hear people accusing this side of the aisle of being political, and it would be much easier for us to say, "Oh, let us just go along; let us just vote yes, let us take up this new idea of government by windsock or government by the slogan of the day." Clearly we would be more popular.

But it seems to me that when you deal with the Constitution, we are not talking about popularity, and our forefathers and foremothers in the past restrained themselves and did not just throw everything they could think of into this Constitution.

I must say, as the ranking member on the subcommittee that dealt with this amendment, I have been shocked by the whole process. As we saw today in the rule, they had to waive points of order because of some of the violations that went on during the markup, improper notice, the problems we had of not having, or of having very short hearings. We had less time to mark this bill up than it takes me to make a costume for my children for Halloween.

You know, I always thought of a constitutional amendment as being real serious. Yet it was like, "No, no, no, we have got to have it out here, we have got to have it now because it is on our slogan, and there was some ad or something in a TV journal and we have got to have it now." So here we are.

□ 1650

Some of the amendments that we never dealt with in committee I think are the most serious amendments of all and go right to the core of this amendment. There are things like who has standing to sue. Now, that sounds like a technical thing. Obviously, the average guy is not too interested in it. Unless you can figure out what standing to sue means, it is finding out can anybody enforce this thing. Are we passing something and throwing it into the

Constitution, and if the President has an unbalanced budget or we have an unbalanced budget, something can be done about it?

Then I think the American people can be mad about it; we cluttered up the Constitution and nobody had any enforcement. But we never got to the issue of standing. In fact, most of the witnesses said they felt, the way this was drafted, no one had standing. So I have real questions as to whether this is really worth anything.

Then, second, if you got over the standing hurdle and somebody could challenge this and it went to court, what could the court review?

What we are saying today is the Presidents have not been able to balance the budget, we have not been able to balance the budgets, so now we are going to give it to the courts. The courts have the right to decide we are leaning too heavily on defense and can take it away? Or do the courts look at our estimates? What do the courts do?

Of course, we never got to those amendments. That was one of the over 20 amendments sitting at the desk that we never got to.

Are insurance funds in this? Yes. You buy crop insurance, you think you have got crop insurance. Surprise, the money goes to balance the budget. Social Security funds are on the table, as we well know from the prior debate. Let us be honest, they are on the table. So are all the trust funds.

You pay for gasoline, and you think that tax is going to buy highways. No, we are going to put it into a budget balancing. Maybe that is what we should be doing. But we ought to tell the American people what we are doing.

But let me tell you the real reason I do not think this belongs in the Constitution: I was one of the Members on this side, and there were only Members on this side, who voted for the last budget, the last few budgets that have brought this deficit down. It is easy to deplore the deficit, but we do not find very many votes to vote for real cuts that really turn it around. We prefer rhetoric to reality.

So, being one of the realists who voted to bring it down, and also being an airplane pilot, let me tell you what I feel our challenge is in this body. Every year when we do a budget, it is like bringing an airplane down to the ground. We are trying to bring the deficit down to zero, but we know we cannot bring it down to zero, blam, or we crash just like an airplane.

We were up in the airplane, and we want to bring it down to the ground, boom. No. You have to find a way to bring an airplane down, just as we try every year to find what is the right angle of descent for this deficit so that we do not throw this economy into a spiral or into a tailspin and have a depression. And yet we also are able to bring the deficit in the right direction.

Many of us have been voting for what we thought was the right angle and

have not been joined by very many people and have been beaten up for doing that. But that to me is what our mission is, trying to assess that angle. And putting it in the Constitution or demanding we do a crash into the Constitution is not where I think we want to go.

Mr. HYDE. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS].

(Mr. GEKAS asked and was given permission to revise and extend his remarks.)

Mr. GEKAS. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the balanced budget amendment, and I do so for several apparent and vivid reasons.

First, just to put it in the Constitution and have it as a discipline for the Members of Congress is reason enough to support the balanced budget amendment. But if one looks at it more analytically, one will find even additional rationale for strong support of this amendment.

In my judgment, and it has been said in various ways throughout the parts of the debate that have preceded this, our Social Security funds, our trust funds to which there has been reference, our pension system, our budgetary problems, our deficit, everything is on the table and will be helped when we reform a balanced budget. Social Security, actuarially, will be even more sound than it is today. Veterans' benefits will stay in place and be strengthened when we reach that balanced budget. So why do we clamor for a balanced budget? To solidify our economy, to stabilize our debt situation, to make it possible in the near future, 2002, borrowing power on the part of citizens will be greater. Mortgaging and lending that will allow the building of homes and the building of businesses will be made easier once a balanced budget has arrived.

Why? Because everyone in America knows that when the Federal Government comes to a point that it will cease to borrow from the private sector in order to finance debt, then that money no longer required by the Federal Government because we have reached a balanced budget, that money will remain in the private sector. And lo and behold, the banks and lending institutions and all who are interested in the availability of private capital for creation of jobs, for reduction of unemployment, for increasing workers' benefits, for then considering the raising of the minimum wage, all those other matters that come with prosperity will be given a yeoman's chance if we reach—and I say when we reach—the balanced budget in the year 2002.

We must balance the budget not just to insert into the Constitution, as valuable as that is, the language of balanced budget, but rather to do so for the spirit of America in reaching financial sanity through the balanced bud-

et that will free us all, including our citizens, for the enterprise of the future.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes and 45 seconds to the former Chair of the Subcommittee on Crime, the gentleman from New York, CHARLES SCHUMER.

Mr. SCHUMER. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to the amendment, the Barton amendment, the amendment that is on the floor.

You know, ladies and gentleman, I guess the balanced budget amendment is something that the closer you get the worse it looks.

You look at a couple of lines, "let us have an amendment in the Constitution to balance the budget," and everyone says, "Great idea, let's do it." Then you look at the mechanism of how to do it, and it does not look that good.

And, finally, you look at the specific proposal and the kind of cuts that it would entail, and it looks very bad altogether. My guess is that a number of the strategists on the other side who have put together this amendment hope it fails. It is a great campaign issue: "We are for a balanced budget amendment." But there is no way to do this amendment even if you should take our advice and leave Social Security off the table, without decimating programs like Medicare, like transit, et cetera.

I believe we must balance the budget. But I believe we should be on a gradual glide path down, not a severe drop and not a constitutional amendment that mandates that once you are in there you can never get out.

I talked to a number of financiers on Wall Street, "Wait until we are able to make the cuts." And yet we are unable to raise the debt ceiling. This nearly happened a few years ago, and Wall Street tremored. Wait until it happens now.

The people who devised this amendment did not really know what government is all about. They did not think it through. They did not go step by step by step. They rather said, "Let's find something that sounds good. The polls back us up. Eighty percent of America are for a balanced budget amendment." But when told it would cut Medicare by about one-third, which is about the cut that I understand the majority on the Budget Committee are considering, 76 percent say, "No, forget about it." So I say to the Members on our side who know it is a bad idea but are a little worried about opposing the big headline-grabbers, just wait, the closer the scrutiny, the closer we get to actuality, the less good this idea will be.

I think, in fact, that if you wanted to make sure our side retakes the majority, make sure the balanced budget amendment becomes law, and a few years after that we will have total change and total revolution. Good politics, maybe on the surface, although I

say "no" after a long period of time. Good substance? No way.

Mr. STENHOLM. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. Mr. Chairman, I would be happy to yield to my friend, the gentleman from Texas [Mr. STENHOLM], who has pursued this with such sincerity and is one of the few who is willing to make the tough cuts required and who supports this amendment.

Mr. STENHOLM. Mr. Chairman, I was just going to ask for a point of clarification because I wanted to be sure that I did not hear the gentleman saying that those who support the balanced budget amendment do not have a plan or cannot get there. I would take very strong exception to that on behalf of a lot of folks on both sides of the aisle. We do, and we can, and we will.

Mr. SCHUMER. I would say to the gentleman that my guess is I certainly think the gentleman understands the severity of the cuts. He is willing to cut Social Security—

Mr. STENHOLM. No, sir.

Mr. SCHUMER. My guess is 90 percent of the supporters of the balanced budget amendment are not. Once we have taken Social Security off, the cuts are at least one-third.

I make the point that my analysis is, and I think it is uncontroverted, that it would require about a one-third cut in all discretionary programs. I do not think most people are willing to take that kind of cut.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. SAXTON].

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Chairman, this is truly an historic debate, and I do not think there is any question about where the sentiment lies in this House relative to a balanced budget amendment. I think there is a huge majority that favor a balanced budget amendment, probably 300 or more Members. The question is which one will we support. Will we support a balanced budget amendment that makes it easier to raise taxes, or will we support a balanced budget amendment that makes it more difficult to raise taxes to accomplish the goal that we want to accomplish?

I favor the bill that was reported from the Committee on the Judiciary. It requires a 60 percent majority, or three-fifths, in order to raise taxes to balance the budget, and I have come to that conclusion after looking, at great length, to what has happened in our efforts to balance the budget over the last couple of decades.

In 1991, Mr. Chairman, the Democrat leaders of the House, the Democrat leadership of the House, and the Republican President got together, and they worked out an arrangement where we would have a tax increase, and for every dollar of tax increases we would have \$2 in spending cuts. I say to my

colleagues, "Well, if you asked yourself what happened, you probably guessed it. We got the tax increases, but we never got the spending cuts."

And history repeated itself in 1983 because the same kind of arrangement was arrived at with the same kind of results, and then in the middle of the 1980's we passed the Gramm-Rudman bill, and the Gramm-Rudman bill began to work, and we began to see the level of spending ratchet down, even if it was ever so slowly, but, as it ratcheted down, it became very painful to make those spending cuts, and we repealed the Gramm-Rudman bill.

Then our next major effort in 1990 was when George Bush got together with the Democrat leadership, and went out to Andrews Air Force Base, and came back here with a deal and said, "We're going to have a \$170 billion deficit remaining in 1995," and that happens to be this year, "if we don't do something," and we imposed—I did not, but the House collectively imposed—the largest tax increase in the history of our country on the American people to solve the deficit problem. Well, it did not do it either.

And in 1993 President Bill Clinton came to the House and said we have to do something about the deficit, and once again we raised taxes, once again the biggest tax increase in the history of our country imposed on the American people, and guess what? Next year our projected deficit is not \$170 billion which was projected in 1990. It is \$180 billion.

So, Mr. Chairman, not only did we not take the easy out to increase taxes, but it also can be said quite clearly, "It didn't work."

Now this is bad tax policy, creates a lot of bad things, and particularly it has a bad effect on our economy, and I know that we like to do things around here on a bipartisan basis, and I know that if the three-fifths provision passes, Mr. Chairman, it will pass on a bipartisan basis.

So, I look at the history of tax increases, look at the effect that they have had on our deficit, and I ask for support for the three-fifths provision.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. STENHOLM].

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, just as I felt compelled to challenge the statement of my colleague from New York regarding those of us who support the balanced budget being unwilling to make the tough cuts, I found it very, very difficult to restrain myself from the gentleman from New Jersey [Mr. SAXTON] a moment ago in asking for time because, when I look at some of the tough votes that were cast last year, like the Solomon amendment on the budget, he did not vote for it. When I look at the entitlement cap, he did not vote for it. The gentleman from

Colorado [Mr. SCHAEFER] did, but not other Members.

We have a lot of rhetoric on this floor today that has no standing with reality, and I would hope in our bipartisan spirit we could start understanding that we are serious, in the serious mode now, regarding amending the Constitution of the United States, and just as my colleague stated on the floor a moment ago that CHARLIE STENHOLM is for cutting Social Security, that is not true. I voted against the previous amendment for the merits of the amendment. I am not for cutting Social Security one penny, and no one can ever find anything in the RECORD that suggests that our amendment that we will offer tomorrow does that either. But yet the rhetoric flows free in this House today, and that is what is wrong with the political rhetoric involved in this issue.

I am pleased to stand here today and rise in support of sending to the States an amendment to the Constitution. I have not come to this position lightly. I have come reluctantly because I would rather be doing almost anything than amending the Constitution for any purpose, but I am convinced that we must do so for the reasons that we will hear amplified over and over. But I have three simple reasons for wanting to amend the Constitution for purposes of requiring a balanced budget. Those reasons are Chris, Cary, and Courtney Ann, my three children, and I have just this month learned that by the end of August, God willing, I will have a fourth reason: our first grandchild. Motivations do not come much stronger than that.

Our Constitution has always, in large measure, been about protecting the unrepresented from the abuses of government. The threat to unrepresented, future children from continued deficit spending is the type of governmental abuse appropriately proscribed by the Constitution. This point was made by Thomas Jefferson who said, "The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of the government."

Our bipartisan, bicameral consensus balanced budget amendment that the gentleman from Colorado [Mr. SCHAEFER] and I will offer tomorrow we believe is based exactly on the same principle as the rest of the Constitution. It will protect the fundamental rights of the people by restraining the Federal Government from abusing its powers, from borrowing money day after day as we incessantly debate who is for cutting spending and who is for raising taxes. The easiest vote for any of us to cast is to vote "no" on everything and watch the deficit go up.

The amendment which I introduce with Representatives DAN SCHAEFER, JOE KENNEDY, MIKE CASTLE, L.F. PAYNE, NATHAN DEAL, and 132 others on January 4, the amendment now

numbered House Joint Resolution 28, is consensus language that has been developed over the past decade.

This same language was introduced on opening day as Senate Joint Resolution 1 by Senate Majority Leader DOLE, Senators PAUL SIMON, LARRY CRAIG, HOWELL HEFLIN, ORRIN HATCH, and others. Obviously, this language has strong bipartisan, bicameral support.

Requiring a higher threshold of support for deficit spending will protect the rights of future generations who are not represented in our political system but will bear the burden of our decisions today.

The language of the Schaefer-Stenholm amendment is the product of years of careful review and refinement. The amendment has been improved over the years based on the advice of Constitutional scholars, budget experts, numerous Members of Congress, and others. Changes were made in the amendment to address criticisms that were raised in the numerous hearings on the amendment. This exhaustive review process has produced an amendment that is workable, flexible, and enforceable.

I do have some concern that the hearings held in the Judiciary Committee this year were just the start of any such review on the language incorporated in House Joint Resolution 1. Nonetheless, I have always supported my friend and colleague, JOE BARTON, in his effort to bring this language before the House of Representatives. I included his amendment in every discharge rule which I filed in each of the past three Congresses. I also know that JOE is sincere about his desire to reduce the Federal deficit. JOE was one of the 37 brave souls to vote for the entitlement cap amendment I offered last year.

The horrors conjured up when opponents talk about balanced budget Constitutional amendments are not really aimed at those amendments, but rather against what those amendments will require: significant deficit reduction. To those who assert that deficit reduction will wreak havoc on the economy, I must ask, "What do you think the deficit is doing to our economy?" More importantly, what do you think it will do to the lives of our grandchildren?

Reaching a balanced budget will require discipline, but it is a far cry from the doom-and-gloom scenario portrayed by many opponents of the constitutional amendment. Federal spending is increasing now at about 5 percent, or about \$75 billion per year. Trimming that growth in spending to 3.1 percent would balance the budget by fiscal year 2002.

But the hard truth is that the budget won't be balanced without passing the amendment first.

I am committed whole-heartedly and single-mindedly to passing the constitutional amendment which can garner two-thirds support in the House, two-thirds support in the Senate, and ratification by three-fourths of the States.

With the House scheduled to consider six different balanced budget amendment proposals from Members covering the political spectrum, it is clear that the overwhelming majority of the House supports the principle of amending the Constitution to mandate a balanced budget. The question therefore is not whether we should pass a balanced budget amendment, but whether the amendment that we pass will be effective and enforceable.

There are three fundamental tests of whether an amendment will provide effective fiscal discipline and is an appropriate addition to the Constitution. First, an amendment must have enforcement to make it more difficult for Congress to borrow money. Second, the amendment must not include any loopholes that could be used to circumvent the amendment. Finally, a constitutional amendment should be timeless and reflect a broad consensus, not make narrow policy decisions.

Let me first address enforcement. Allowing Congress to waive the balanced budget requirement by a majority vote would gut the amendment. To be effective, an amendment must require a substantially higher threshold of support to deficit spending. A requirement for a super majority vote to increase the debt limit is critical to ensure that gimmicks are not used to circumvent the amendment.

Second, taking the Social Security trust fund or capital expenditures out of budget calculations would open up a tremendous loophole in the amendment. This loophole makes it possible for the Government to fund any number of programs off-budget by redefining them as Social Security or capital expenditures. This would make the constitutional amendment meaningless.

Finally, we must ensure that the language of any approved amendment passes constitutional muster. A balanced budget amendment reflects a consensus that Congress and the President should set priorities through the regular legislative process. Items such as capital budgeting, the treatment of the Social Security trust fund, and specific budget plans represent narrow policy issues on which there is not necessarily a consensus. These issues do not belong in the Constitution. It would be particularly inappropriate to place the concept of capital budgeting in the Constitution when there is no consensus on what should be included in a capital budget.

We face a historic opportunity to add a solid, credible, meaningful amendment to the Constitution, at last responding to Thomas Jefferson's concerns. I urge my colleagues to take responsibility for the future we will hand our children and grandchildren. Vote for the balanced budget amendment.

Mr. HYDE. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. SCHAEFER].

(Mr. SCHAEFER asked and was given permission to revise and extend his remarks.)

Mr. SCHAEFER. Mr. Chairman, in the years I have watched this body at work, I have concluded that only a constitutional amendment requiring a balanced Federal budget will force the consensus necessary for real deficit reduction.

Opponents of the amendment are pressing its supporters to present a plan to eliminate the deficit at the same time Congress considers the amendment itself.

The debate over amending America's founding document should not be a divisive quarrel about narrow special interest spending programs, as opponents are seeking to make it. Rather, I believe the discussion should be elevated above politics, to a thoughtful and long over due discussion of the more fundamental issues of the appropriateness

and necessity of adding a balanced budget requirement to the Constitution.

The Constitution both enumerates and limits the powers of the Government to protect the basic rights of the people. The Framers of the Constitution saw balancing the budget and promptly repaying debt as moral imperatives fitting squarely within that framework. Permitting the Government to abuse its power over debt was not simply considered economic folly, but a violation of a basic right of the people—the right to be free from the massive indebtedness of a wasteful government.

Our Constitution currently protects the people from the excesses of Government that might infringe on their freedoms of religion or speech, right to keep and bear arms, be secure in their persons, homes, and papers and other rights. In exactly this same spirit, the balanced budget amendment would protect the American people—today and in future generations—from the burdens and harms created when a Government amasses an intolerable debt.

Amending the Constitution means dealing with the most fundamental responsibilities of the Government and the broadest principles of governance. Scaring up special interest opposition only cheapens the debate and drags the Constitution through the gutter of politics.

Demanding to see specific spending cuts before supporting a balanced budget amendment is little more than a poorly supporting a balanced budget amendment is little more than a poorly disguised argument against a balanced budget itself. It is like demanding a list of every kind of speech which will be protected before agreeing to support the first amendment.

Mr. Speaker, the freedom from the harms of excessive Government debt, like free speech, is a right of the people that is absolute, not contextual.

There are literally hundreds of plans to balance the budget out there—one, in fact, for every Member of the House and Senate. There are countless ways to balance the budget. What is lacking is an overriding moral imperative—backed up with the might of the Constitution—to force consensus.

After all, if we could have consensus on how to balance the budget right now, we would not be needing to debate a constitutional amendment.

Mr. Speaker, the primacy of fiscal responsibility in the Government's affairs, once taken as an unwritten given, should be explicitly returned to its rightful place among America's first principles. I urge my colleagues to support the balanced budget amendment.

□ 1710

In closing, I would say that I want to give a lot of credit, much credit, to my good friend, the gentleman from Texas [Mr. STENHOLM] and his work over the

years, as well as all the other people who have worked on this specific issue so long and so hard. And over the years we have been able to sort out the arguments that would be rallied against the language of the amendment that the gentleman from Texas [Mr. STENHOLM] and I have proposed.

Mr. WATT of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I think the gentleman for yielding.

Mr. Chairman, we are engaged in particularly serious business this evening. In the 206 years of the Republic we have amended the Constitution some 27 times. There have been over 11,000 proposals.

Yes, indeed, we need to bring the Federal budget, the operating budget of the Federal Government, into balance. It is not a question of whether we do it, but how we do it. We need to do it through a sensible process, not through an amendment to the Constitution that I believe will prove unworkable and detrimental to the national interests. And let me explain why I think the proposals that have been brought to the floor will run into those kinds of problems.

First, those proposals with supermajority requirements: The reason we have a Constitution is that the Articles of Confederation required supermajorities for spending and taxing decisions, and they proved unworkable and brought the early version of this Nation into gridlock. We should not repeat that mistake by passing an amendment that would give 41 Senators, theoretically representing only 12 percent of the people of this country, the power to bring Government to a grinding halt.

Second, the enforcement problem: The amendments that are before us are silent on how we deal with living up to the promise that we are making. Now, some assert that the courts could not get involved. I have no reason to believe that that is the case. The courts have authority under the Constitution to deal with matters arising under the Constitution. Do we really want unelected and unaccountable judges making decisions about spending and taxation?

Third, these proposals depend upon budget estimates, notoriously—through our recent experience—problematic and unreliable, and especially difficult when the economy may be going into recession. Recall when we were dealing with 1981 with the fiscal 1982 budget, the Reagan administration estimated growth of 4.2 percent. That year ended up going into recession, a decline in GDP of 1.9 percent. What would that have done if this amendment were in effect?

The distinction, fourth, between capital and operating: We need to be able to make investments. This amendment hamstringing any ability of the Congress in the future to make the necessary in-

vestments that will save operating costs in the long run.

Finally, the effort to fashion an escape clause for national security: Is "an imminent threat to national security" going to be whatever a future Congress says it is, or are we again inviting the Judiciary to get involved? I do not know. No one can know. It is an invitation to an intrusion by the Judicial Branch that is absolutely inappropriate.

We evidently are not going to deal with these very substantial problems. My prayer is that our colleagues in the State legislatures, with the time that they will have to examine the ramifications of this, will find the faults and turn this down.

Today we are being called upon to take the extraordinary step of amending to the Constitution. In the 206 years that this Nation has been governed by that charter of our democracy, about 11,000 possible amendments to it have been introduced in Congress, with only 27 approved. There's good reason for this conservative approach to our Constitution. Amendments to the Constitution must be presumed to be for all time.

It isn't just a reverence for the document as now constituted, however, that leads me to oppose the proposed amendments before us today. I do consider it essential to get our Government's financial house in better order, and I have devoted much of my effort here in Congress to that end. But to achieve that end I am not willing to sacrifice the ability of our Government to function. We must act to eliminate the deficit, but not by putting shackles on the democracy. To varying degrees, that is what each of the six versions of a balanced budget amendment before us today would do. Each would create more problems than it would solve.

Let me illustrate in five ways.

To begin with, the amendment proposed by Representative BARTON and supported by the Republican leadership, would require a three-fifths vote in both the House and the Senate to approve an unbalanced budget, raise more revenue through taxes, or borrow more money. This would be constitutional lunacy. It violates the basic constitutional principle of majority rule and would effectively place control of the budget in the hands of 41 Senators—who might represent as little as 12 percent of the American people.

All of us, I believe, recognize that there are times when it will be necessary to spend more, to tax more, or to borrow more. We could not have won the Revolutionary War, or World War II, or the cold war, without doing so. It can be hard enough here to achieve a simple majority vote on budgetary matters. That's the nature of a representative democracy, which is inherently constrained in making decisions.

To raise the threshold for a decision by requiring three-fifths supermajorities in both the House and the Senate is a prescription for gridlock and failure. As a practical matter this amendment would act as a straitjacket in those times when swift action will be most needed. We could well be stuck with a policy-by-default that would turn an economic downturn into a depression, or a manageable threat to our security interests into a major conflict.

In fact, it was precisely this weakness with the Articles of Confederation—its requirements for supermajority votes in Congress to make basic budgetary decisions, and the resulting national paralysis—that led to the convening of the Constitutional Convention and the drafting of the Constitution. In that Philadelphia convention, the delegates repeatedly considered, and rejected, proposals to require a supermajority for action by Congress, either on all subjects or on more subjects than the five eventually specified in the original Constitution. Those are for overriding a veto, ratifying a treaty, removing officials from office, expelling a Representative or Senator, and proposing amendments to the Constitution. Amendments to the Constitution later added two others: restoring certain rights of former rebels, and determining the existence of a Presidential disability. None of those constitutional requirements for a supermajority threaten the basic functioning of the Government the way the three supermajority requirements of the Barton amendment would.

It's not difficult to imagine the problems that could be created. In the midst of a recession or some other national emergency, an attempt to raise the debt ceiling or raise additional revenue could be supported by strong majorities in both bodies, but be blocked by a minority of only 41 Senators, aligned by some particular regional interest or political ideology.

Imagine a situation in which a badly needed measure was blocked by the Senators of the 21 least populous States. Senators from States with fewer than 30 million people—less than 12 percent of the country—could effectively thwart the will of the remaining 88 percent. The amendment, in short, would give exaggerated power to small States, and would effectively give 41 Senators the power to hold the country hostage. Recent experience gives us plenty of evidence that there are those who are willing to do so.

We can't let this provision, which is essentially an act of political gamesmanship, back us and future Congresses into a legislative corner that would be difficult, if not impossible, to get out of when our country most needs decisive and timely action.

A second major problem with all the different versions of a balanced budget amendment before us today is the possibility that judicial interpretation and enforcement of an amendment could turn basic taxing and spending decisions over to unelected judges. If a deadlock in Congress or some other development were to lead to an unbalanced budget, no enforcement mechanism has been specified to resolve the issue. I would hope that this would not lead to the Federal courts stepping in and writing budgets, cutting spending, or raising taxes. But that possibility is not ruled out by any of the texts before us. And therefore, the general authority of the courts to consider cases arising under the Constitution would apply. Anybody who is concerned about unelected judges making decisions that should be left to elected legislatures should be greatly alarmed about this possibility.

A third concern is an example of subtler, but no less troubling, problems of definition and workability.

We should ask ourselves, for instance, about the meaning and effects of these words that appear in both the Barton and Stenholm-

Schaefer versions: that deficit spending is possible only if the United States faces "an imminent and serious military threat to national security." Would this be a Grenada-type situation? Panama? The Gulf War? What about times of national economic crisis, or major natural disasters? How can we respond in times of crisis if the Constitution itself tells us that we cannot so act?

A fourth problem has to do with the inherent weakness of budgetary estimates on which all of the proposed amendments rely. The level of accuracy we've seen in revenue and spending projections is rarely equal to the job of making budgets to which we must adhere, on penalty of judicial enforcement, during the course of a fiscal year. There are Members here who will remember 1981, when we started to dig this deficit hole in earnest. The first Reagan budget rosiely forecast economic growth of 4.2 percent in the year ahead. The economy, apparently not in a mood to obey the President, proceeded to decline by 1.9 percent.

The relevant lesson is that when we make projections, often 18 months or more into the future, our actions are based on economic models that are not perfect. And a lot can happen in the space of only 18 months to overtake the best projections. Given the difficulty we would face in marshalling the supermajority required for us to take corrective action, a balanced budget amendment could well leave us stranded.

Finally, it's impossible to make the investments we need in roads, bridges, airports, and the rest of the facilities that are vital to our economic health if we don't differentiate between an operating budget and a capital budget. Families, businesses, and State and local governments can do that, the Federal Government should also have that ability.

Balancing an operating budget makes sense. That's the kind of balanced budget States are typically required to achieve. The more difficult issue is capital spending and investment: something that all States, municipalities, and individuals borrow to do regularly when they build a bridge or buy a house. We regularly borrow from future revenues to invest in future well-being. By effectively prohibiting borrowing for investment on the Federal level, we'd force a wholesale shift in investment responsibility to the States and localities. Or worse, we'd force a foolish limit on needed investment that would only increase operating costs in the long run.

Each of the proposed amendments before us now all fail for one or more of these reasons. That is why I have to reject all of them. But let no one mistake my rejection of these proposals for a desire to keep the budget unbalanced. The Federal deficit, which has more than quadrupled since 1980, continues to act as a drag on the Nation's economy, compromising our efforts to deal with our fiscal problems and indenturing our children, and their children, for decades to come.

I do understand why most people believe that the moral authority of the Constitution is necessary to force us to act to correct our fiscal problems. And I know that the pressure to pass something will likely lead to a proposed amendment being passed by the House. So I tried to examine the proposals being put forward to see if there were

ways I would amend them in a responsible manner to make them more workable and legitimate. I found two ways to amend—to improve—the six versions before us today, to reduce or eliminate the problems that I see with them. Unfortunately, the Rules Committee decided not to let me offer any of those amendments.

My first proposed change would have made it clear that the courts would not be brought into budget writing by litigation on the enforcement of a balanced budget amendment. I would have done so by adding a clause stating, "Neither the judicial power of the United States nor of any State shall extend to any case arising under this Article."

We should make it clear in this way, I believe, that a balanced budget amendment doesn't turn into a wholesale abdication of Congress' basic responsibility, as the people's elected representatives, to make the final decisions on vital budget choices. It is irresponsible of us to create any possibility of letting these choices be assumed by unelected judges, and any amendment to the Constitution should clearly state that it is Congress that will continue to be responsible and accountable for the Federal budget.

The second amendment I tried to be able to present to the House was an alternative, simple amendment stating that Congress must pass a budget in which "total operating expenditures . . . for any fiscal year shall not exceed total operating receipts" except in times of national security or economic emergency, as determined by majority vote. It also would have required the President to send Congress a budget in which total receipts exceed operating expenditures for every fiscal year, and would have given Congress the power to enforce and implement the provision by appropriate legislation.

This alternative would have avoided the gridlock of supermajority requirements, would have left us with the flexibility to make capital investments, and would have placed the burden on Congress to find the appropriate mechanisms to enforce the new balanced operating budget requirement. I'm not sure that even this would have ultimately proven acceptable in light of my serious reservations about amending the Constitution, but this simple approach certainly would be far less troublesome than any of the other choices we face today.

I'm deeply concerned, all of us are, about the growing national debt. It has brought us to this point, where we consider exercising one of our most solemn powers, the power to amend the Constitution itself.

The irony of this is that after a dozen years of profligate spending, we're finally moving in the right economic direction. Over the past 2 years, we've finally achieved a level of fiscal discipline that hasn't been seen around here in a long time. We've approved a hard freeze on discretionary spending.

We've reduced the rate of increase in most entitlements, and actually cut some. It would truly be a shame if, at this promising moment, we were to wave the rhetorical wand, pass this amendment, and allow ourselves to believe that we've won the battle, only awaiting State ratification of that amendment. Rather, there can be no letup in the hard work needed to produce sensible budgets, with reduced deficits, over the next several years.

In the end, we should be mindful that when we amend the Constitution, history will judge our actions with an especially critical eye. The Constitution grants primary responsibility for the budget to Congress for a reason: the decisions we make ultimately reflect the needs and preferences of the people we represent. The progress we're finally making is proof of the ability of this body, at its best, to discharge its responsibilities. We must continue and strengthen the discipline recently shown here. That is the best way for us to honor both our fiscal responsibility and our obligation to preserve and protect the Constitution.

I urge my colleagues to continue the hard work we've already begun to discipline our spending habits and reject the seductive and popular gimmickry of these balanced budget amendments.

Mr. HYDE. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, for 40 years, 40 years, this body failed to pass a balanced budget amendment. No line-item veto. And yet the Gephardt bill tries to scare you with the Social Security card.

Well, if you are so concerned with the Social Security card, all those arguing with the gentleman from Missouri [Mr. GEPHARDT], then why not support the three-fifths to raise taxes, because it would take a three-fifths vote to increase the tax on Social Security.

But no, it is smoke and mirrors. You want to raise taxes at will. You want to be able to pass on unfunded mandates, the big tax and spenders. I would say there is not a Member of the Black Caucus except the only Republican that did not vote in the last Congress to increase the taxes on Social Security. No Republican voted for it. There is not a Member that is arguing here today, except maybe the gentleman from Texas [Mr. STENHOLM], that did not cut Medicare by \$56 billion, and not a penny went for health care. Why? Because not a single Republican or Democrat voted for it in the Committee on Ways and Means.

Do you get the picture? Why not vote for Gephardt? Because GEPHARDT kills the rule of three-fifths in his bill to raise taxes. He kills the limitations to raise the debt ceiling. They want to be able to raise the debt. Does that tell you something about the real issue on the balanced budget amendment?

What about the limit on cutting spending. GEPHARDT kills that. And

that is why we do not support it. And we are asking him to support the three-fifths that would stop those things and also the unfunded mandates.

Why does the gentleman from New York [Mr. SCHUMER] and the gentlewoman from Colorado [Mrs. SCHROEDER] and the gentleman from Missouri [Mr. GEPHARDT], the last Congress they voted to cut Medicare, they voted to cut Social Security, and they also voted to increase the marginal tax rate of every middle-income American. All of them. But yet now they switch their story. I guess it is easier to switch than fight.

Take a look at the leadership and the Rivlin memo to GEPHARDT and the Rivlin plan. The plan is to cut Social Security. The plan was to cut Medicare. The plan is to cut veterans benefits and further dismantle the military. But yet now we are talking about protecting Social Security. I will bet you will not find hardly anyone, if anybody, that wants to touch Social Security in here.

□ 1720

Then support the three-fifths, let us not have the smoke and mirrors. The gentlewoman from Colorado says we had hard choices in the Clinton tax package, that the liberal leadership twisted arms and only passed by one vote last Congress, one vote. Well, she did. She cut Medicare and Social Security. Those were the hard choices. They cut in 1986 IRA's. Now they want to support them back. They cut the annuities for senior citizens.

Get a life.

Mr. WATT of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise today, to urge my colleagues to support the Gephardt and Wise substitute amendments to the Barton balanced-budget amendment.

I have supported a balanced-budget amendment before my election to Congress, and I am going to support one today. But as long as I have believed in a balanced-budget amendment, I have also believed that Social Security is a sacred contract between the Government and its people. That is why I offered my own substitute balanced budget amendment. While not made in order by the House Rules Committee, my substitute, like the Gephardt and Wise proposals, specifically exempted Social Security from budget cuts and eliminated the unconstitutional and unworkable super majority requirement for raising revenue.

Not specifically exempting Social Security in the text of a balanced budget amendment—as the Republicans fail to do in their proposal—is to place this contract directly in the path of the uncertainty of the annual budget process and subject the program to possible cuts. That is irresponsible and unacceptable.

My constituents in northern Michigan understand that balancing the budget will require difficult choices and painful cuts. Almost to a person, they have indicated to me that they are willing to make the tough choices. But people in Michigan also understand a promise. Simply put, cutting Social Security is the same as cutting the Federal Government's credibility. Social Security is not just statistics—it is the only thing which stands between thousands of elderly Americans and true poverty. In Michigan, more than 1.5 million people receive these benefits—that is 1.5 million real people with real bills to pay and very real obligations to meet.

The Republican leadership claims that the adoption of House Concurrent Resolution 17, offered by the gentleman from Illinois, Congressman FLANAGAN, would protect Social Security from cuts. But, Mr. Chairman, if the Flanagan resolution were currency, it would be the peso—not worth a heck of a lot.

As we all know, this resolution has no force of law, and is really nothing more than saying to our Nation's senior citizens "I know we've pointed a loaded gun at you, but we promise we won't pull the trigger—at least not until the Nation's bill for the tax breaks for the rich and spending in the GOP Contract With America comes due."

Mr. Chairman, the Gephardt and Wise substitutes are tough and responsible and keep the promises that our Nation has made. I urge my colleagues to support these balanced-budget substitute amendments.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. BRYANT], a member of the committee.

Mr. BRYANT of Tennessee. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I come before you today behalf of the people of my district to support a balanced budget amendment with three-fifths supermajority tax increase provisions because, Mr. Chairman, most every one of them is demanding relief:

Relief from a Congress that has strapped each and every one of them with a debt of over \$4.5 trillion. Relief from a Congress that has taken away from many of them the incentive to save and invest as a result of burdensome and stiff taxes. And relief from a Congress that has created more than ever a sense of distrust of this institution.

A balanced budget amendment with three-fifths majority tax provisions will give them this relief, Mr. Chairman. We have before us the opportunity to restore the trust in this institution, the opportunity to bring about an economic climate that will encourage savings and investment, and an opportunity to begin addressing the problem of our ever-increasing debt by slowing spending.

We can do all of this by supporting a balanced budget amendment with a three-fifths majority for tax increases.

Mr. Chairman, it is my strongest belief that the tax burden placed on our society has created the circumstances I have mentioned. As a result of raising taxes, we have decreased the ability of the American people to save and invest, thereby damaging our economy.

Mr. Chairman, it makes it difficult for someone to save and invest when they wake up every morning knowing that Congress is making them work from January to May to pay their taxes.

Clearly, Mr. Chairman, raising taxes has not been the answer. There are the nine States which have similar supermajority requirements in order to raise their taxes. And in those nine States, State taxes have gone down an average of 2 percent. Compare those numbers, Mr. Chairman, to the 41 other States without some type of supermajority requirement to raise State taxes. Their State tax burden has gone up 2 percent. I repeat, Mr. Chairman, nine States have supermajority tax requirements for tax increases, and these nine States have lower tax burdens.

Mr. Chairman, today this country is at a crucial crossroads of its history. Now we have at the time opportunity to change the way Congress goes about its business of taxing and spending. Opponents of the idea of a balanced budget amendment with a three-fifths provision scoff at that idea. They say it will not work. I say nonsense. Having a balanced budget amendment with the three-fifths provision for tax increases will work.

Do we want to keep raising taxes and borrowing money we do not have? I do not think so, because either way the taxpayer gets stuck with the tab. Taxpayers know it, and they are sick and tired of it.

Mr. Chairman, we were sent here to make some tough decisions. We were sent here to reform the way we do business. It is something that should and rightfully be expected of us. Requiring a three-fifths majority for tax increases in a balanced budget amendment will invariably bring about the necessity of slowing spending. So it will ultimately force this body to make some long overdue decisions about how we are spending taxpayers' dollars and whether they should or should not be spent.

Some do not want to confront these decisions but they must be confronted. Otherwise, we are only saddling ourselves and our future generations with more debt and more red ink.

The American people are demanding a balanced budget. They expect Congress to curb its spending. They want to trust us and deserve that tax relief. Passing House Joint Resolution 1 will give them all.

I urge my colleagues to support this.

Mr. WATT of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. PETERSON].

(Mr. PETERSON of Florida asked and was given permission to revise and extend his remarks.)

Mr. PETERSON of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of the Nation's future and for the protection of our children and grandchildren's well-being. Right now both are in jeopardy because of the tremendous national debt that we continue to accumulate. Why do we keep borrowing from future generations?

I will answer my own question: because the Government has not made the tough decisions necessary to balance the budget and because of conflicting signals from the American people to cut spending but not from their favorite programs.

To stop us from passing the buck and to force the Nation to commit to making the sacrifices necessary for the long-term in economic security, I will join many of my Democratic colleagues in supporting the constitutional amendment to the balance the budget.

The bipartisan balanced budget amendment generally referred to as the Stenholm-Schaefer amendment, which I cosponsored when I first was elected to this House 4 years ago, contains no gimmicks and no shell games. It simply requires that total outlays not exceed total receipts.

I along with many of my fellow Democrats have led the fight for this amendment long before the Republican contract was drafted. We have pushed to bring this amendment to the floor each Congress and continually voted for its passage. And we came very close to passing this amendment previously.

Today, I reaffirm my support for the Stenholm-Schaefer balanced budget amendment and join my colleagues on both sides of the aisle in taking aggressive action now to protect the Nation's economic security and our children and grandchildren's future.

Mr. VOLKMER. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield to the gentleman from Missouri.

(Mr. VOLKMER asked and was given permission to revise and extend his remarks.)

Mr. VOLKMER. Mr. Chairman, I planned to take a couple of minutes to talk, but basically about the same thing that gentleman has mentioned. Some of us have been here, and I have been here 18 years. I voted on the constitutional amendment for a balanced budget back in 1982.

We have consistently voted on it. I have supported it. I am a cosponsor of the amendment of the gentleman from Colorado and the gentleman from Texas. Some of us have struggled and fought. We came close, 9 votes one year, 12 votes, if I remember right, last year. We may see a culmination. If we don't, we are going to continue to fight.

It was not a contract with America that started us on this effort. It was because some of us feel that we need to have a constitutional amendment for a balanced budget, but a sound one, one that makes sense, not a three-fifths majority, and that we need to do that in order to arrive at balancing the budget in the future.

Mr. Chairman, I thank the gentleman for yielding to me.

Mr. PETERSON of Florida. Mr. Chairman, reclaiming my time, I will once again compliment my colleague the gentleman from Texas [Mr. STENHOLM] for leading this battle, along with my friend over here, the gentleman from Colorado [Mr. SCHAEFER] who really intently feel seriously about this to the point of making the hard decisions necessary to balance this budget.

We stand with them in this fight.

□ 1730

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, every year, we hear the same arguments used against the balanced budget amendment: it is unnecessary, binding, and a blot on the Constitution. We are told we need to tighten our belts, make the tough choices, stand up to special interest groups.

There is one word you'll never hear used against the amendment though: commitment.

That is because opponents here in Congress do not share our commitment for cutting spending and reducing the deficit. As Robert Reich made it clear last week, neither does the administration. It is just not important to them.

But it is important to the American people. It is important to our future. It is important to our children.

Mr. Chairman, Congress does not lack for choices, it lacks commitment. The balanced budget amendment represents a commitment to the American people to make the tough choices and cut spending. It's the one budget agreement Congress can't repeal.

As a long-time cosponsor of the balanced budget amendment, I am excited this legislation is before us, and I look forward to successfully passing it, here and on to the States for ratification.

Last night, Bill Clinton told America that he was working to cut spending and reduce the deficit. He said his budget would cut \$130 billion over the next 5 years. What he did not say was that spending will continue to rise and the deficit will continue to climb.

In fact, the legacy of the Clinton tax increase of 1993 is higher spending, lower growth, and higher deficits. The 1993 reconciliation bill was just one in a long line of budget agreements designed to balance the budget through tax increases and spending constraints. Each time, the taxes were gathered, but the spending cuts never materialized.

We are presented today with the unsavory picture of Congress and the ex-

ecutive branch piling fiscal failure upon failure. The situation is intolerable and it cries out for change. In my mind, that change can begin with passage of the balanced budget amendment. Not an end unto itself, the BBA will create a bulwark of fiscal discipline to the congressional budget process, beyond which neither Congress nor the President can tread.

The BBA will reform the budget process by forcing Congress to make decisions between increasing taxes and cutting spending. If the tax cap provisions are included with the BBA, then Congress will have no choice but to prioritize its spending decisions. Even without the cap, however, the BBA will provide a line of defense for the American taxpayers that simply doesn't exist today.

A balanced budget amendment is an idea whose time has come. While it is not the final answer to our fiscal problems, it will provide a measure of discipline that does not exist now, and it will instigate reforms that otherwise would not occur. For that reason, I applaud this effort and support the balanced budget amendment.

Mr. WATT of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

(Mr. VISCLOSKY asked and was given permission to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman's yielding time to me.

Mr. Chairman, beside asking Americans to give their lives for their country, there is nothing more profound that any of us can do than to amend the Constitution of the United States.

After serving in this House for 10 years, I have come to the conclusion that without an amendment, the budget will never be balanced. That is why I support the balanced budget amendment offered by the gentleman from Texas [Mr. STENHOLM] and the gentleman from Colorado [Mr. SCHAEFER].

Mr. Chairman, I support a balanced budget amendment because I do not believe that the President and the Congress will find the collective courage necessary to balance the budget without a Constitutional imperative. It is my sincerest hope that the weight of the Constitution will force the balanced budgets necessary to secure a prosperous future, our nation's sovereignty, and a government that makes smarter decisions.

America has always been the land of opportunity. A better life for each successive generation is one of the defining characteristics of our nation. Each generation's hard work paved the way so that those who followed could travel farther down the road of prosperity. Unfortunately, in recent decades, the economic policies of this country have caused us to lose our way. Nations, just like families, must plan for the future. As a nation we have failed to plan. We

have borrowed to achieve a false sense of prosperity today, leaving the bills for our children to pay tomorrow.

In 1992, our government spent \$290 billion more than it had. In 1992 alone, \$1,150 was borrowed from every single person in America. Over the past 20 years, the average budget deficit has grown from \$36 billion in the 1970s, to \$156 billion in the 1980s, to the unprecedented \$248 billion hole we have dug for ourselves so far in the 1990s. This irresponsible spending has resulted in a debt hole so deep that this year's interest payment (\$213 billion)—just the interest payment—will be larger than this year's deficit (\$176 billion).

Today's talk about balancing the budget, while also calling for increased defense spending and lower taxes sadly assures me that fiscal responsibility will be trumped by politics as usual. These are the same misguided economic policies that tripled our national debt during the past 12 years. Republican George Bush called it "Voodoo Economics."

In 1798, Thomas Jefferson said that if he could add one amendment to the Constitution, it would be to prohibit the Federal Government from borrowing money: "We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay them ourselves." Our recent history makes it clear we should heed Jefferson's wisdom.

Our current spending spree cracks the foundations of our nation's sovereignty. At the beginning of the 1980s, foreigners owed Americans much more than we owed them. Today, we are the world's largest debtor nation. We owe foreigners much more than they owe us. And foreigners are collecting these debts by buying our office buildings, our companies, and our farms. We are selling our nation to anyone who will bankroll our outrageous spending. In an era when economics plays a larger role in the global order, our spending binge threatens our sovereignty and ability to influence international events. It's much harder to get Japan to tear down its trade barriers when we are indebted to them.

A message sent loud and clear in the 1994 elections was that Americans want us to make wise decisions. A balanced budget will force the achievement of this goal because the decisions made depends on the amount of money you have to spend. This is proven true in our daily lives. A person with \$3 to spend on lunch will make an entirely different set of decisions than that same person with \$10 to spend. The Government just puts it on a credit card.

We must remember, however, that voting for a balanced budget amendment is the easy part. The amendment has overwhelming public support and simply voting "yes" puts each of us on the right side of public opinion without having to make the tough choices that will put the budget into balance.

It would be a cruel hoax on the American people to pass a balanced budget amendment without beginning to actually balance the budget. If we start our work today, the impact will be less painful and our decisions less difficult than if we continue to postpone tough decisions.

To ensure that we make good on our commitment to balance the budget, I am working to draft the Balanced Budget Enforcement Act of 1995. This bill would force us—today—to begin bringing the budget into balance by the year 2002, while the ratification process proceeds. It would do so by setting spending caps and using across-the-board cuts if the caps aren't met. I don't believe this bill is the only answer to our budgetary problems, but it is an answer and it will lead to balanced budget.

There is little argument that balancing the budget is essential to the future of our country. However, the bickering begins and political courage fades when we begin to talk specifics. It is time to summon the courage and start today.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Illinois for yielding time to me. Mr. Chairman, I rise today in support of the balanced budget amendment.

Our current financial crisis is due to overspending pure and simple, and I firmly believe that a balanced budget amendment will impose discipline on Congress and the executive branch to live within defined means.

Having worked under a similar mandate in the State of New Jersey as a State legislator, chairing the appropriations process, I am fully prepared to work within the same spending and taxing restraints on the Federal level to make those serious decisions.

Mr. Chairman, I urge my colleagues to vote in favor of the Barton amendment to provide, finally, discipline to the Federal budget process.

Mr. WATT of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, Harry Truman used to say, in an earlier and perhaps better era here in D.C., "The buck stops here." In today's Washington, D.C. your buck barely gets a chance to wipe its feet before it is back out the door in the form of some new Federal spending.

Without the fiscal discipline of a balanced budget amendment, I doubt this Congress will be able to make the tough choices that are required, no matter what party is in charge. It is time to quit passing the buck, or in this case, the debt, to future generations and put our fiscal house in order.

The national debt is nearly 5 times higher today than it was when Ronald Reagan became President in 1981. That is a disgraceful bipartisan legacy of irresponsible spending and tax giveaways.

The total debt of the Federal Government totals more than \$4.6 trillion, \$16,000 for every man, woman and child in America. Interest alone will total more than \$225 billion this year. That is 10 times more than all the funds spent by the Federal Government on all education programs and assistance this year.

Some oppose the balanced budget amendment over genuine concern for the fate of Social Security, child nutrition, education funding, or other meritorious programs. An honest assessment of those programs shows us they have not done well during this decade of spend and debt. We accumulated \$4 trillion of debt, but there is not a penny in the Social Security Trust Fund. It is full of IOUs. How are we going to cash those IOUs in when we need them?

Twenty percent of Oregon's children live in poverty. Many go to bed hungry every night. We know of the shortfall in education funding. It is time to get our priorities straight, make some tough decisions. As we make those tough choices, I am confident these programs, the programs I care about, will do better than they did during the spendthrift decade.

My home State of Oregon has a balanced budget amendment, as do most other States. Every local government in Oregon is required to balance its books every year, as does every responsible family. The Federal Government can do the same.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute and 30 seconds to the gentlewoman from Washington [Ms. DUNN].

Ms. DUNN of Washington. Mr. Chairman, I rise in favor of the Barton balanced budget amendment. Some say that to propose a balanced budget amendment without proposing how we would get there is wrong. I say nonsense.

The American people are pleading with us to set aside bickering and at least agree on the goal of living within our means. We must take that first step toward a balanced budget amendment, with or without the support of the President. Then we can debate the spending cuts necessary to achieve that goal.

Mr. Chairman, my colleagues on the other side of the aisle have had 40 years to control the power of the purse and prove that Congress could be fiscally responsible. The result: Congress has left this country with a crippling debt and with higher taxes. Americans can no longer afford this sort of behavior from their Congress.

Mr. Chairman, now the burden of proof should be on the Congress to justify dipping further into the taxpayers' wallets. That is why we must pass the

Barton substitute that requires a three-fifths majority to raise taxes. We must force this Congress to make tough choices in spending cuts, not taxing our way to a balanced budget. Protect the taxpayer. Pass the Contract With America version of the balanced budget amendment.

Mr. WATT of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Utah [Mr. ORTON].

(Mr. ORTON asked and was given permission to revise and extend his remarks.)

Mr. ORTON. Mr. Chairman, I rise in strong support of a balanced budget amendment. I am disappointed that the majority will not allow us to vote on mine and other amendments which I believe solve some of the problems, but there are many similarities between the amendments we will look at.

There is, however, a real problem: How do we enforce it? We have looked to a super majority in various amendments as a way to enforce it, or future legislation as a way to enforce it. Will it work? The problem I see with these amendments is that they rely upon estimates, not actual. Will it actually require us to balance the budget? No. Why?

Mr. Chairman, I read in the Barton amendment, section 1, the last line "Congress and the President shall ensure that actual outlays do not exceed outlays set forth in this statement." What about receipts? How do we guarantee that the projection of revenue is actually going to show up?

If we say "Well, it will," look at the last 14 years. CBO has missed in every one of those years by an average of, overestimating revenue, an average of \$25 billion per year. What is going to happen? At the time we figure out that receipts did not come in, it is too late to cut spending. We have already spent it. It is the end of the fiscal year. Even if we could get three-fifths to raise taxes, it is too late to do that.

□ 1740

There is one option and one option only, that is, increase the debt limit. You are going to put a permanent ceiling on the debt limit and you cannot raise it without three-fifths.

What you have done is in contravention of the Founding Fathers' intent, you will have placed control in 40 percent of this body or the other body to hold us hostage.

Let us say they decide they want more welfare spending, and they are not going to vote for increasing the debt limit unless you give them a higher debt limit to spend more money on welfare, or defense, or anything else.

We had better back up. I will vote for and support the best constitutional amendment we can, but I certainly hope the other body can do a better job and perfect this before we have to send it to the State legislatures.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. HOKE].

Mr. HOKE. I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today in support of the Barton balanced budget amendment.

We are going to vote either tonight or tomorrow on this amendment and we are going to have the opportunity to complete 2 pieces of work that were begun 200 years ago and about 100 years ago. One is the Constitution itself.

Thomas Jefferson wrote in 1789 very clearly and very well. He said:

If there is one omission that I fear in the document called the Constitution, it is that we did not restrict the power of the government to borrow money.

What this constitutional amendment does is it puts into the constitution the restriction that the Founding Father and founder of the Democratic party, Thomas Jefferson, wanted to have put in the Constitution, the restriction on borrowing money. It is the three-fifths majority that is required to raise the debt ceiling. That is the operative language that makes it very, very difficult, not impossible—but by no means impossible—but it creates the hurdle over which we have to jump in order to borrow more money to make it possible to deficit-spend. It is the essential element of this constitutional amendment with respect to spending.

On the taxing side, we are going to complete the 16th amendment to the Constitution which allowed the income tax in the first place. That is, that we are going to require that there be a three-fifths majority to raise taxes as well.

These two together will complete the spending and taxing limitations and restrictions that were begun 200 years ago and need to be completed, need to be fulfilled in the Constitution of our country.

Our country was founded on limited government, not unlimited borrowing. To limit government, we need that supermajority. To limit borrowing, we need a supermajority to increase the debt. And the BBA will reinforce the theme of the Constitution.

The other thing that the BBA does is it will change the way that the American people have been cheated out of the definition of government. The proper definition of government is what the people are willing to pay for on a pay-as-you-go basis.

We really have no idea what we as a Nation believe our Government should be, what the size and scope of it should be, what its role should be, what its definition should be, because just as in a family you do not know how you want to define your lifestyle except by what you are willing to pay for, just as in a company you do not know what you are willing to do, what you want to do in terms of defining the direction of your company and where you want to go, the same is true with respect to our Nation and our national identity and what we are willing to pay for in terms of defining what our government is going to be.

We have been cheated out of that as a Nation. We do not know what that is. Until we are required to match revenues against expenditures, until that happens, we will not know as a Nation what it is that we want our Government to do.

Mr. WATT of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise today in strong support of the balanced budget amendment. I have been for the balanced budget amendment for the last several years, because I do not believe that we can find the will to make the necessary cuts to save the future generations of this country without the support of the American people through a balanced budget.

The fact is the people say:

Listen, JOE, you are a liberal Democrat, how can you possibly be for a balanced budget amendment? It is going to cut the very programs that much of your family and others have stood for generations.

I say to them that those very programs that stand up for the working people and the poor and the senior citizens of this country have suffered the worst cuts over the course of the last 15 or 20 years in this country as a result of budget deficits.

Look at the housing budget. Cut by 77 percent over the course of the last 15 years. Look at those who have press conferences that say they want to protect fuel assistance for the poor. Look at what has happened to the fuel assistance program. Cut by 30 percent.

Aid to education. All of the programs that are designed to assist the very poor, our vulnerable citizens, are the programs that get cut.

And after all, who pays the debt? It is the working families of America that pay the lion's share of America's taxes. We see a greater and greater percentage of those taxes going for one particular item, and, that is, to pay the interest on the debt.

What accounts have gone up in the last 15 years? National defense. We have seen the budget doubled. We have seen a fantastic increase, from \$70 billion a year to \$240 billion a year on the interest payments alone on the national debt.

Does a working family get to educate their kid? Do they get to take care of a senior citizen, a parent? Do we see the bellies of our poorest children filled as a result of interest payments on the national debt?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HYDE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUNNINGHAM) having assumed the chair, Mr. WALKER, chairman of the Committee of the Whole House on the State of the Union, reported that that

Committee, having had under consideration the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States, had come to no resolution thereon.

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 1, the balanced budget constitutional amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HOOR OF MEETING ON TOMORROW, THURSDAY, JANUARY 26, 1995

Mr. HYDE. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

LEGISLATIVE PROGRAM

Mr. CONYERS Mr. Speaker, reserving the right to object, and I do not intend to do so, let me just take this opportunity to clarify the schedule for the remainder of the evening and for tomorrow.

Can we confirm that the only remaining legislative business for today is to complete general debate, not going into the Barton amendment?

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Illinois.

Mr. HYDE. I believe that is correct. I have not been instructed otherwise, so it is correct.

Mr. CONYERS. Will the gentleman indicate to us whether we plan to finish the balanced budget amendment tomorrow or carry some of the bill over until Friday?

Mr. HYDE. I hope with the superb cooperation I have come to expect from the distinguished gentleman from Michigan, we could finish it tomorrow.

Mr. CONYERS. Then, finally, on behalf of the Democratic leadership, I have been asked to confirm that the Democratic side will be assured of at least 20 1-minute speeches tomorrow morning preceding our activity.

Mr. HYDE. At most, the gentleman is exactly correct.

Mr. CONYERS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore. Pursuant to House Resolution 44 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution, House Joint Resolution 1.

□ 1749

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States, with Mr. WALKER in the chair.

The Clerk read the title of the joint resolution.

□ 1750

The CHAIRMAN. When the Committee of the Whole rose earlier today, the gentleman from Illinois [Mr. HYDE] had 52 minutes remaining in the debate, and the gentleman from Michigan [Mr. CONYERS] had 47 minutes remaining in the debate.

The Chair recognizes the gentleman from Illinois [Mr. HYDE].

PARLIAMENTARY INQUIRY

Mr. HOKE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOKE. Mr. Chairman, when the Chair or the Speaker grants unanimous consent that someone may revise and extend their remarks, does that mean, is that implicit that that means within the rules, or does that actually mean that the remarks themselves can be revised in the RECORD?

The CHAIRMAN. It means revisions and extensions within the meaning of clause 9 of rule XIV.

Mr. HOKE. That have been adopted by this House in the 104th Congress?

The CHAIRMAN. The gentleman is correct.

The Chair recognizes the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I am pleased to yield 1½ minutes to another distinguished gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I thank the gentleman from Illinois for yielding me this time.

Mr. Chairman, there have been many efforts made in this Chamber to try and balance the budget. I can well remember the Freeze Budget, the 1992 Group Budget, the Pork Busters, our good friend Tim Penny who led many bipartisan efforts, and I can remember Gramm-Rudman. Every one of these was to no avail.

Remember this button: "108 in '88?" That meant under Gramm-Rudman our deficit was going to be by law no greater than \$108 billion in 1988.

Well, guess what? It was \$187 billion, not \$108 billion.

Promises, promises, promises, promises, and every one of them was broken.

It is time to keep our promise. The deficit today is over \$200 billion, and it is as far as the eye can see \$200 billion. In fact, by the turn of the century it is not going to be \$200 billion, it is not going to be \$300 billion. The OMB, the Office of Management and Budget is projecting over \$400 billion.

I had a town meeting a couple of weeks ago and I had a very activist Democrat stand up and say:

Fred, I have been against the balanced budget before because I did not think it would work. I thought we had laws that made it work, but I've given up. When you get back to Washington, please, please, please, for our children and for our jobs, pass a balanced budget amendment.

It is time now to keep our promises. It is time to pass a balanced budget amendment, a constitutional one.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Alabama [Mr. BROWDER].

(Mr. BROWDER asked and was given permission to revise and extend his remarks.)

Mr. BROWDER. Mr. Chairman, I want to thank the gentleman from Michigan for yielding time to me.

Mr. Chairman, let me first commend my colleague, CHARLIE STENHOLM, for his leadership on the issue we are debating today. We are considering, hopefully for the last time, passage of a balanced budget amendment to the Constitution. I have been on this floor three times before pressing the Members of this institution to let this debate out of Washington. Ratification is my ultimate goal, but more important in my mind is the great public debate that will take place around this country during the process of ratification.

The balanced budget debate must be expanded beyond the Washington betway and with passage in Congress the debate will begin in earnest. For as the states consider ratification, our country will begin a full and frank public debate on the role of government—Federal, State and local—and the cost of fulfilling that role.

If the politicians who designed past efforts to bring the budget into balance had engaged the public in that process then I doubt we would have dug—or been allowed to dig—such a huge deficit hole.

Mr. Chairman, the balanced budget amendment incorporates into our fundamental law the principle that the Federal Government cannot spend more money than it takes in, except under special circumstances. That principle rightly fits in the Constitution and would not, as some suggest, trivialize that basic document. But more importantly, the ratification process will allow, even force, the American people to focus on what they want from their government, what benefits they will surrender in the name of fiscal responsibility, and what burdens they will shoulder to do the important tasks they ask their government to do.

Mr. HYDE. Mr. Chairman, I am honored to yield 3 minutes to the distinguished gentleman from Texas [Mr. BARTON].

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I want to first of all thank the distinguished chairman of the Committee on the Judiciary, HENRY HYDE, for his excellent leadership in shepherding the balanced budget amendment process this far. I want to thank our new Republican majority leadership for scheduling the debate immediately and not having to force us to resort to discharge petitions. I want to thank my good friend, CHARLIE STENHOLM of Texas, for being such a stalwart for so many years to keep the dream alive and all of the other true believers that feel like we need to balance the Federal budget in a bipartisan fashion.

We have won the debate as to whether we should have a balanced budget at the Federal level, at least we have won the debate everywhere but in the White House, in the Office of Management and Budget, and with the Secretary of Labor. The question is not should we balance the budget but how should we do that, and there are really three basic ways: We can raise taxes; we can cut spending, or we can do a combination of both.

There are two serious amendments on the floor this evening and tomorrow to get us to a balanced budget. The Schaefer-Stenholm amendment requires a three-fifths vote to borrow money, a three-fifths vote to raise the national debt ceiling and that is a constitutional majority of 218 plus 1 in the House to raise taxes. The Barton-Hyde-Geren amendment requires a three-fifths vote to borrow money, a three-fifths vote to raise the debt ceiling, and I think, significantly, a three-fifths vote to raise taxes. That third three-fifths vote to raise taxes in some ways is the most important three-fifths vote, because I believe the emphasis should be on cutting spending.

Why do I believe that? Go back to 1964; the entire Federal budget was \$118.5 billion. In 1965 it actually dropped. We spent \$118.2 billion. Every year since 1965 Federal spending has gone up. In the fiscal year we are in now we expect to spend \$1,531,000,000,000. That is an increase of 1,300 percent in the last 29 years.

Federal spending has gone up every year since 1965.

To put that in perspective, in the year we are currently in, we expect to spend 70 billion more dollars than we spent last year, and last year we spent 53 billion more than the year before. Simply put, it is not a lack of revenue as to why the budget is not balanced. It is simply the fact that spending is out of control.

If we want to restrain spending, we have got to balance the budget by cutting spending. Put the tax limitation provision in, the three-fifths vote, and

we will do it. There are nine States that have tax limitation provisions. In those nine States their taxes have gone up less and their spending has gone up less, an average spending of about 9 percent less and an average tax increase—an average in the years between 1980 and 1990—an average of about 14 percent.

We should vote for the balanced budget amendment with tax limitation. I ask for Members' support.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to this gentleman from Georgia [Mr. DEAL].

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to take us for a quick ride down our spending highway. If we assumed our income equals our spending and we are traveling at 55 miles per hour, if for every \$1 billion of deficit spending we increase our speed by 1 mile per hour, instead of going the posted 55 miles a hour, we are going 258 miles an hour.

And remember, that to get \$1 billion of revenue it requires approximately 250,000—that is right, a quarter of a million—individual average tax returns. So not only are we exceeding the speed limit by 203 miles a hours, we are spending the money from 50,750,000 average individual tax returns that we do not have.

□ 1800

And that is just in 12 months. If we are to have to pay off our national debt right now, it would require the taxes from 1,171,000,000 average individual returns that we do not have.

Even if the debt never increased and we never paid any interest on it, it would require all the revenue received from all the tax returns of all individual taxpayers in this country for almost 11 years just to pay off the principal. So if you think we can slow this vehicle down that is traveling 258 miles an hour by just posting a slow-down sign, you are wrong. We have tried it. If you think we can slow it down by putting speed breakers in there, we have tried that, too.

Gramm-Rudman 1 and 2, the Budget Acts of 1990 and 1993, you are wrong; we hit those bumps, we picked up speed, and \$2 trillion in debt, since we hit them.

It is time we called out a traffic cop with a radar gun to slow us down. That is what the balanced budget really is, Mr. Chairman. It is time to call out the cops.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I particularly thank the truly distinguished chairman of the Committee on the Judiciary for yielding me this time.

I rise in support of the balanced budget amendment. I am a name co-sponsor with the gentleman from Texas [Mr. STENHOLM] and the gentleman from Colorado [Mr. SCHAEFER] on

theirs, but I also support the Barton three-fifths tax limitation as well.

But it is the concept of what we are doing. Let me just say I would like to congratulate this entire House of Representatives on considering the most significant chance to end doing business as usual down here that we have probably ever considered, and doing it early on in January. I think it makes a huge difference.

I thought the way I could spend what is left of my 3 minutes is to just tell you a story about what has brought me to be so supportive of the balanced budget amendment, my own personal experiences.

I am from the State of Delaware. I was in the legislature of the State of Delaware. I was there in the 1970's. During that period of time, we had some difficult problems. We never balanced our budget. We borrowed money in virtually any way you could possibly borrow money, short-term, long-term, whatever it may be. We had the highest personal income taxes in the entire United States of America, 19.8 percent State taxes, this is. Businesses were leaving Delaware as fast as they could make up their minds to be able to get out. Then we came along, and some individuals, and I was not involved in this, adopted a balanced budget amendment. We have the three-fifths tax limitation. We adopted the line-item veto. We have rainy-day. We have other cushions. We have everything you could possibly imagine.

Since that time, since we woke up in the end of the 1970's, we have balanced our budget 18 straight times in the State of Delaware. We have reduced our taxes five times in the State of Delaware. We have created more jobs than practically any other State on a percentage basis; I know, we are a small State. We did reduce poverty more than any other State during the 1980's. We became a financial success story.

It is not easy. It was very tough to do this. In addition to all those constitutional amendments and changes, we had to struggle with small pay increases, in fact, no pay increase one year for State employees. We eliminated waste. We had an early retirement option. It was a very difficult matter to carry out.

We expended Medicaid perhaps a little more slowly than some other States did. We did create economic opportunities, because we saw the other opportunities, because we saw the other side, if we could bring in revenues, and we have different banking laws in the State of Delaware which have helped us attract jobs to our State, and we have made fiscal adjustments each and every year to keep our budget in balance.

We are absolutely convinced that this is the way to go, and I am convinced this is what we should do in Washington, DC.

What if we do not pass the balanced budget amendment? What if we just go

on as we have with business as usual? Well then, in my judgment, the easier choice will be made virtually every time, that is, to extend, to expand, and to add programs. The debt will bury our future generations, and the inefficiencies, because of political malaise, to make the tough decisions will simply carry on.

For all of these reasons, I believe that each and every one of us should tomorrow realize that this is not just a procedural vote. It will lead to many, many years of very difficult votes, both of which are going to benefit the people of the United States of America.

I hope we will all support the balanced budget amendment.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. NADLER], a member of the Committee on the Judiciary.

Mr. NADLER. Mr. Chairman, I oppose this amendment, because we should not write fiscal policy into the Constitution.

Of course, we want balanced budgets most of the time. But it is nonsense to speak of a balanced budget without separating out a capital budget.

Every State, every local government, every business has a capital budget and an operating expense budget. The operating budget must be balanced, but the capital budget enables long-term investment, highways, bridges, tunnels to be financed by borrowing.

Any family borrows to buy a car or a house.

This amendment would prohibit the Federal Government from ever borrowing except in wartime. This is nonsense.

Second, budgets should be balanced over time, not every year. In good times, the operating budget should be balanced or have a surplus to pay down the debt. During a recession we should prime the pump, cut taxes, increase expenditures, run a deficit to stimulate the economy, to put more people to work, and to get out of the recession.

This amendment would force the Government to violate all we know of economic policy and cut spending during a recession to offset the lower tax receipts generated by the recession. This is a good way to turn a recession into a depression.

That is why the Owens amendment which I support would suspend operation of a balanced budget amendment when there is high unemployment.

Third, the proposed three-fifths rule would require a 60 percent vote to pass bills to improve enforcement of the law against tax cheats, to close special-interest tax loopholes, or to revoke most-favored-nation status of countries that violate human rights. A minority of the House would be able to block any of these actions.

Finally, our large national debt and the Republican decision to increase substantially defense spending means inevitably that a balanced budget amendment would force us to gut

spending on Social Security, Medicare, and other vital programs.

Mr. Chairman, we do not need this dangerous amendment. In the last 2 years we have cut the deficit almost in half. We need to continue a prudent fiscal policy. We do not need to rewrite the Constitution.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. NEY].

Mr. NEY. Mr. Chairman, I want to talk about reality and fact today versus uncertainty and doubt.

And the uncertainty and doubt mentioned is budget estimates. The reality is it has been done. It has been done in many States.

But Ohio sets an example, one of the larger budgets in the United States, and you have the executive budget, you have the legislative budget office. Sometimes their statistics do not agree. But you come to a middle point and you take the conservative end of it. Usually that tends to give us the basis to be able to operate on a balanced budget.

The doubt, it has not all been set out over the course of the next 7 years. The reality, the State of Ohio, like many other States, has made it a reality that we set out a budget pattern. We accomplish a short-term goal, and it works. The doubt, this system will not work: The reality, it does. Last month I was chairman of the senate finance committee in Ohio. I guarantee you had we told the members magically there is no more cap on the Ohio budget, the end result is they would have crawled on glass to get there to spend money. It does work.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE], a member of the Committee on the Judiciary.

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Formulating laws and studying our legal system has occupied most of my adult life. At each level of my professional career, I have taken an oath to uphold the laws and principles of the Constitution of the United States of America, and I take this responsibility very seriously.

I feel very great cause for concern over this most recent attempt to alter the Nation's most sacred charter, not that it has not been done, but simply the process is one that bears a great consideration and seriousness.

Clearly any changes that are to be made to this document should only be made upon careful deliberation and dialog. At this time, however, I do not feel that we have gone forward in a bipartisan spirit and open debate to do this monumental task.

Oh, I know the stories have been told about the years of trying to balance the budget and all the Congresses that have not, but I come here a new Member representing my constituents and believing that we have the ability to handle this in a manner that shares

with the American public the direction in which we are going.

In this Committee on the Judiciary time and time again in a bipartisan spirit SHEILA JACKSON-LEE offered military preparedness, protecting Medicare and Medicaid, offering Social Security amendments, not to stop the progress but simply to provide for the American public a realistic look at the balanced budget amendment.

There are too many questions that I still have, and they are still left unanswered. Precipitous cuts in essential Federal programs, especially programs that assure health, safety, well-being, and educational opportunities for our citizens clearly are in the national interest. The majority wants to balance our budget by cutting spending by 30 percent without raising taxes. This will hurt our children's programs, Medicare, Medicaid, and veterans' services.

In Texas alone over 180,000 babies, preschoolers, and pregnant women would lose infant formula and other WIC nutrition supplements. If we pass the balanced budget amendment, 420,000 children in Texas will lose food stamps; over 500,000 would lose Medicaid health coverage.

□ 1810

While these alarming numbers are specific to my State of Texas, I have to stand up for my people in my State and in the entire Nation. As legislators it is our responsibility to examine the effects of this legislation in detail and to truly understand the consequences of what we are doing.

When we talk about dropping education benefits, 37 percent of the people say they support the balanced budget amendment. When we talk about cutting social security, only 34 percent of the American people.

I simply ask that we detail where we are going and what we are doing. I simply ask are we going to cut child welfare dollars or are we going to fight for a new flight bomber? It is very important, as we discuss a balanced budget, that we focus on the substantive impact and whether or not Congress and the President can actually achieve a balanced budget amendment.

We must understand the enforcement mechanism. Who has standing? The question has never been answered.

Does the senior citizen in the 18th district of Texas have the opportunity to go to the Supreme Court and say they have been impacted negatively by the balanced budget amendment? I think they should. The questions are still unanswered.

We have a great responsibility as we amend our Constitution, and I believe that we must give reverence to the Constitution of the United States. An open rule, and understanding of where we are going, that is what we need in a balanced budget amendment, but we need most of all to understand and respect the Constitution.

Mr. HYDE. Mr. Chairman, I am delighted to yield 2 minutes to the

learned gentleman from New York [Mr. HOUGHTON].

(Mr. HOUGHTON asked and was given permission to revise and extend his remarks.)

Mr. HOUGHTON. I thank my learned chairman.

Mr. Chairman, I am trying to figure out a way of how to get into this conversation because so much of what I had intended has already been said.

Let me just say one thing: I was down here in 1982 with the Grace Commission. We had a deficit of \$200 billion. We had great plans, we had suggestions to close that gap, cut the spending. Nothing happened.

I came here as a Congressman in 1987. Our deficit was still \$200 billion, and we had all of these plans, Gramm-Rudman-Hollings, all of the great laws. Nothing happened.

Here we are now with a deficit of still \$200 billion or approximating that.

There was a man called C. North Cole Parkinson, who said expenses have a tendency to rise to exceed income. That is what is happening here.

I think it is really a bad idea, if there were any other alternative to having a constitutional amendment. However, I am convinced now that it is the only way of doing this thing. I am not for the three-fifths for the tax increase. It is not practical. It will not work. But I am for a balanced budget amendment.

Let me say one other thing: That is the easy part. The hard part is to put this into practice. Peter Drucker always said that all great ideas ultimately degenerate into work. This is what is going to happen here. The easy part is passing this legislation; the hard part is going to be to put it into effect.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. I thank my friend for yielding this time to me.

My colleagues, in the rush to pass a constitutional amendment and tamper with the Constitution to do something that we do not have the guts to do ourselves, let us tell the American people what we are really doing. Let us be honest with the American people.

If the American people knew what this balanced budget amendment would do, there would be a hue and cry in the land.

We are exempting social security. I agree. We are telling our senior citizens that by exempting social security, they will be all right. Who is kidding whom? Do you know the Medicare cuts that will come as a result of this balanced budget amendment? My senior citizens and senior citizens across this country that are on Medicare and cannot make ends meet now will face cuts of 20, 30, 35 percent. They cannot get money to pay for prescription drugs or the health services they need now. Forget it after the balanced budget amendment.

Medicaid, decimated; veterans benefits, decimated. You veterans who think you will continue to get outpatient services under a balanced budget amendment, outpatient health services, forget it. That will be gone.

Education, school lunches, magnet school programs, forget it. Tremendous cuts. Our children are going to suffer in future years.

Mass transit, Meals on Wheels, the environment, forget about clean water and clean air, there will not be money for that.

More cops on the beat, housing, health research.

Federal pensions, we can forget about all the things the American people have come to expect.

Wake up, America. If we do not have the guts here to do what we have to do, a balanced budget amendment is not going to do it for us. All it is going to do is impose terrible hardships on the American people, senior citizens, and our young people.

If Congress declares war, we have to have a separate vote on a military action and then a second vote to decide to unbalance the budget. This is unworkable.

It is a disaster for America, and I will vote "no."

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from California [Mr. PACKARD].

(Mr. PACKARD asked and was given permission to revise and extend his remarks.)

Mr. PACKARD. Mr. Chairman, after hearing the last remarks, the most scary scenario of all would be for us to continue to run this country into bankruptcy and then there are no programs that are going to get the benefit.

Mr. Chairman, last November the American taxpayers declared that enough is enough. They are fed up with the Federal Government's liberal tax-and-spend policy. Passing the tax limitation balanced budget amendment will insure that the Government will balance its budget without raising taxes. The three-fifths rule serves as a vital disciplinary tool. It will help Congress resist the temptation to fall back into the liberal tax-and-spend habit of the past 30 years. It will keep Congress' sticky fingers out of the American taxpayer's back pocket. Are not American people already being taxed enough? Forty-nine States operate with a balanced budget amendment. Every American working family must balance their checkbook each month.

Is it not time for the Federal Government to start living within its means as well? I urge all my colleagues to vote in favor of the Barton amendment.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, democracy means majority rule, but it also means government of, by, and for the people.

In the context of democracy, there are two things that trouble me greatly about the Barton constitutional amendment for a balanced budget.

First, the resolution seems to trample on the right of the people to know under what burdens they must suffer at the hands of the Government. The resolution, second, seems to ignore the sacredness of the Constitution of the United States.

On one occasion, President John Adams spoke of the right to know. He said, "Liberty cannot be preserved without a general knowledge among the people who have a right to know." That right, he said, "is indisputable, unalienable, infeasible, and devine." Passage of the proposed Barton constitutional amendment in its current form denies the people the right to know.

In order to achieve a balanced budget by the year 2002, as provided in the amendments, an amendment must provide that we must make those hard cuts. \$1.2 trillion will have to be cut in a range of entitlement programs alone.

Why will not the majority tell us how those cuts will be made?

These are not social security alone, there are other entitlements beyond social security. If the tax cuts envisioned are made, indeed we must make cuts beyond that. More than \$450 million in additional cuts would be made. That will mean farmers in my State and rural communities, water sewage, all of those projects will be subject to cut.

One of the sponsors of the amendment has said that we should not let the people know because, "If they know they will buckle at the knees." I disagree. Knowledge is the beginning of wisdom. A wise America is a strong America and will make the decisions as to the necessary cuts if they believe, if they believe those cuts are necessary for the welfare of this country.

My second concern is, while I agree that the Constitution is a living, breathing document, it is not a document that we should take lightly. It is not subject to every political whim, and the people will say that we are good politicians. It is a sacred document. It has only been amended 27 times in more than 2 centuries. Therefore, we should take as sacred our responsibility to first deliberate, then understand, then to inform the American people what it is we are about to do.

□ 1820

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. FOLEY].

(Mr. FOLEY asked and was given permission to revise and extend his remarks.)

Mr. FOLEY. Mr. Chairman, I rise today in strong support of the constitutional amendment to balance our budget and especially the Barton amendment with the three-fifths provision.

Almost 180 years ago, Mr. Chairman, Thomas Jefferson, a man well ahead of his time, stated, "To preserve our independence we must not let our rulers load us with perpetual debt."

Now I have heard from a lot of people today saying, "When the American public finds out how you are going to do this, they will be outraged."

My colleagues, the American public is outraged now, is asking us, "How do you do it? If I bounce a check, the bank will shut my account. If I go over my limit on my Master Card, they will cut my credit."

The United States of America spends money it does not have while parents at home have to tell their children, "You can't go to the University of Florida or Florida State. We have to keep you at home because we can't afford the tuition." Parents make those choices every day. The American Government must make those same choices.

Mr. Chairman, we must balance this budget in order to assure future generations the same opportunities we have in this country.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

(Mr. OLVER asked and was given permission to revise and extend his remarks.)

Mr. OLVER. Mr. Chairman, we are fast approaching 5,000 billion dollars in debt, and the interest on that debt is \$200 billion every year. That interest on the debt is greater than the deficit for this year for the first time, and it will be for many years in the future. Much of that interest goes to foreign sources, and it denies our people's needs that we should be paying that interest. But how did we get here?

The majority of us in this Chamber were not here when the vast decisions were made on this issue. For a 12-year period not one budget was presented that was in balance by either President Bush or former President Reagan. And the Congress, after passing those budgets, those budgets which were than presented and signed by those Presidents, all of those budgets which were out of balance, not a single one of them was vetoed. So, I deplore the history that got us to that point, and it was in that period of time that we went from 1,000 billion dollars to 4,500 billion dollars of debt.

So, I intend to vote for some of the proposals for balanced budgets. I will vote for those that involve capital budgeting because every family and every State in this country provides for some degree of amortization for its investments in the future, for construction of long-term nature at the State level, for homes at the family level. I will vote for the protection of Social Security. I will vote to allow the

fast action when we have a recession and need to do something countercyclical to deal with the recession. But I will not vote for amendments that allow for a minority to control budgetary decisions.

So, Mr. Chairman, I will vote against the Barton amendment and hope that it is defeated.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. MARTINI].

(Mr. MARTINI asked and was given permission to revise and extend his remarks.)

Mr. MARTINI. Mr. Chairman, I thank the gentleman from Illinois [Mr. HYDE] for yielding this time to me.

Mr. Chairman, once again the House is about to consider a balanced budget amendment. I rise today to throw my support behind this important measure, particularly the Barton amendment.

For the last 25 years, Mr. Chairman, this Chamber has accumulated deficits that defy logic. After a quarter century of living on borrowed money, today I say "Enough is enough."

Previous attempts to balance the budget without a constitutional amendment have failed. Time after time Congress has shown that it lacks the discipline to adhere to goals that it sets for itself. It is clear only a new approach will bring lasting fiscal restraint on this body.

Mr. Chairman, the world will not come to an end if this amendment passes. Those naysayers who claim that the sky will fall if we embrace fiscal responsibility in our Constitution are just the guardians of an oversized government that has betrayed the American taxpayers by wasting too much of their money. Let us end the congressional spending spree and support the balance budget amendment.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

(Mr. TANNER asked and was given permission to revise and extend his remarks.)

Mr. TANNER. Mr. Chairman, this is the fourth time that I have been on the floor on this subject since I came here 6 years ago. I am in my seventh year now. We have come within 12 votes one year, 9 votes one year, and, I think, even 7 votes one time, and I want to commend the gentleman from Texas [Mr. STENHOLM] and the gentleman from Colorado [Mr. SCHAEFER] for bringing once again, I think, a workable solution to our problems.

Abraham Lincoln, our 16th President, once said, "A majority held in restraint by constitutional checks and limitations is the only true sovereign of a free people. Whoever rejects it does, of necessity, fly to anarchy or to despotism."

I think, if he were here today, he would say the same thing. What he said was, in my words: There must be a clear, cogent and compelling reason to

disregard this most basic premise of democracy: majority rules.

Over the past 25 years, Mr. Chairman, a clear willingness to borrow from tomorrow for today's gratifications has been shown by administrations, Democrat and Republican, by Congresses, Democrat and Republican, and the American people. Therefore, Mr. Chairman, I think circumstances justify, or maybe even demand, a three-fifths requirement for a supermajority to borrow money as it relates to our national debt and to place such a restraint in our most basic document of government, the United States Constitution.

Always in these arguments about spending, Mr. Chairman, those whose voices are not heard in these decisions to raise the debt ceiling are those who are not here: our children, our grandchildren and their children. On the other hand, Mr. Chairman, there is a significant and profound influence in our body politic to prevent this or any Congress from raising taxes.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, I rise in strong support of the tax limitation balanced budget amendment to the Constitution.

Without question, Mr. Chairman, this is the single most important budget reform contained in our Contract with America.

As the recent debate over Federal funding for the Corporation for Public Broadcasting has demonstrated, every item in the Federal budget has a special interest constituency ready to lobby Congress to protect their funding and their programs. The outcry from these organized interests will only get louder as we continue to look for ways to control the size of government. A well-drafted constitutional amendment will protect the general taxpayers' interests from this continued onslaught of special interests, giving Congress the backbone to cut spending first. That is why tax limitation is so crucial to reducing the size and scope of government.

As former President Ronald Reagan was fond of saying, "The American people are not taxed too little. The government spends too much."

I say to my colleagues, "If you agree that Federal spending, not lack of new taxes, is the reason for the deficit problem, then support the tax limitation balanced budget amendment."

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, I rise in very strong support of the balanced budget amendment, and I believe that this issue should unite Democrats and Republicans, liberals and conservatives, Perotists and populists. I believe that we all should get behind a

balanced budget, and I believe we should for the following reasons:

We are currently spending \$212 billion on interest on the debt. Let me repeat: \$212 billion on interest on the debt.

□ 1830

That is 14 percent of our budget; \$14 out of every \$100 collected from our taxpayers go to interest payments.

Now, to a fiscal conservative, naturally that would be outlandish and offensive, to spend \$212 billion on interest payments, and to a social liberal, to spend \$212 billion on interest payments, when you might argue that it should go to Head Start, immunizations for children, technology investments. All Democrats and Republicans should be behind a balanced budget.

But, Mr. Chairman, if this is the backbone, then comes the courage. We must work in bipartisan ways to come up with majority votes to cut spending. Not Social Security, but cut spending on a space station that is over budget, cut spending in our own personal offices and pass a law so we can have that money go to the Treasury Department so we have it go to take down the debt. We must come up with cuts in the Interstate Commerce Commission, in the Agricultural Conservation and Stabilization offices. Across the board we must look at programs in a bipartisan way.

Finally, I know that tax cuts are as popular as apple pie, but apple pie has to be paid for. We are talking about a balanced budget. If we have to come up with \$200 billion for tax cuts, why do we not concentrate on the balanced budget for the next year, and then determine if we have money for tax cuts? I think the American people want us to make those tough cuts in spending, and balance this budget. Because if we balance the budget, that is the best tax cut we can give for all Americans. Working Americans, every American benefits from lower interest rates, from a growing economy and jobs, and we get much-needed credibility back in this institution that we can do things.

I encourage all votes for a balanced budget amendment.

Mr. Chairman, I rise in strong support of the constitutional balanced budget amendment. As we are all too well aware, Federal budget deficits have been and continue to be a chronic problem which plagues the Nation. In 56 of the last 64 years, the Federal Government has run a deficit. We have now reached the point where the public debt of the United States exceeds \$4.7 trillion. That is crazy!

According to the Congressional Budget Office, the interest payments on the debt will cost the American taxpayers \$212 billion this year alone. Put another way, 14 percent of every tax dollar that the Government collects will be used to pay the interest on the debt. These are funds which we could and should be using for programs such as Head Start, child nutrition, education, job training, and so many other important programs.

This deficit continues to harm our Nation's economy, stifles economic growth, and jeopardizes the future prosperity of our children

and grandchildren. Our debate today about a balanced budget is really a debate about the future of this country.

Clearly, spending cuts are the best way to achieve a balanced budget. Throughout my career, I have never hesitated to make the tough choices to cut spending, even where my votes were not always politically safe or popular. Spending cuts must continue to be our top priority.

While the balanced budget amendment is not a panacea for all of our economic ills, I believe that it will help. It will provide a badly needed element of discipline to the budgeting process, by requiring the President to submit a balanced budget, and prohibiting Congress from enacting a budget where spending exceeds revenues.

Mr. Chairman, while I strongly support the balanced budget amendment, I want to make it clear to the senior citizens in my district that I believe that Social Security should be fully protected. I am pleased that earlier today the House passed overwhelmingly House Concurrent Resolution 17 which directs Congress to leave Social Security alone when it is forced to comply with the balanced budget amendment.

Mr. Chairman, since I was first elected to Congress, I have supported a balanced budget amendment. While a balanced budget amendment will not eliminate all wasteful Government spending, it represents a significant step toward controlling spending. In recent days, much attention has been focused on tax cuts. In my view, deficit reduction is the best tax cut for all Americans.

Mr. Chairman, the future of our children and their children is at stake. Let us pass the constitutional balanced budget amendment to ensure that their future is full of hope rather than crippling debt.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the very distinguished gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, I rise in strong support of the Barton balanced budget amendment.

Mr. Chairman, I remind my colleagues of a few facts: In the last 30 years, the Federal Government has balanced its budget exactly one time, 1969. The national debt amounts to \$13,000 per person in this country, and the interest payments now amount to over \$800 per person per year. But opponents say we do not need an amendment, just let Congress make the spending cuts. Well, most proposals or spending cuts are like the magician's trick of sawing in half the lady in the box. There is a great deal of hoopla, there is a great deal of fanfare, and then something appears to be cut. But when it is all over, nothing much has changed.

That is why we need a balanced budget amendment, to discipline our own profligate spending habits. And we need to have the supermajority requirement, the tax limitation proposal. We have it in the State of Arkansas, where I am from, and it works in Arkansas and it will work here.

Mr. Chairman, deficit spending is stealing. It is stealing from our children and it is stealing from our grandchildren, and it must stop.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the Committee on the Judiciary for yielding.

Mr. Chairman, on November 8, the American people put their bloated Federal Government on a diet. The balanced budget amendment with taxpayer protection is step 1 in Washington's weight loss program.

Federal fat has been growing for the past 25 years. Since 1969, when Congress last balanced the budget, the debt has grown to \$4.6 trillion. How Congress chooses to shed Federal fat is critically important. The balanced budget amendment with taxpayer protection causes the Government to change its eating habits by cutting spending first.

Like so many would-be dieters, the leaders of the minority have all kinds of excuses as to why the Government can't be made lean. These excuses can be termed budgetspeak.

Budgetspeak contend that massive cuts would be needed to balance the budget. They argue that every Government program is indispensable and irreducible.

Outside the corpulent Capitol, the American people know better. In reality, Congress can balance the budget by reducing the increase in spending. According to the Clinton administration's own numbers, if spending increases by 3 percent rather than by 5 percent, as currently projected, the budget will be balanced in 7 years.

Budgetspeak also contends that by taxing Americans more, the Government somehow will spend less. Yet both President Clinton and President Bush painfully learned that tax increases cannot solve our fiscal woes. Just last week, the President's Budget Director Alice Rivlin admitted that the administration had no plan to balance the budget.

Budgetspeak deride this amendment as a gimmick. They assert that Congress should instead make serious choices to reduce the deficit. Yet look at the voting record of these budgetspeakers. The National Taxpayers Union, a nonpartisan watchdog organization, tallied the votes of the 103d Congress and graded every Member of Congress on how carefully they spent the American people's hard-earned money. Every member of the Democratic leadership received an "F."

Mr. Chairman, the American people understand budgetspeak is code for why the Government can't diet today.

Mr. Chairman, as chairman of the contract with America's working group that produced this amendment, I urge its passage.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE],

a very valuable member of the committee.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I keep hearing the opponents of this amendment claim that they oppose the amendment because of the spending cuts that will affect their favorite programs that they feel are going to hurt people when they are cut. But what about their concern for the future of our children and grandchildren as we continue to pile debt upon debt on them?

We now are averaging deficits of approximately \$200 billion a year, a \$4.7 trillion debt. That is \$18,000 for every single person in this country. And as we increase that debt, we increase the interest payments. And right now by doing that year after year, we are reducing the portion of the debt budget each year that can be used to spend on programs, because an increasing proportion of it has to go to pay for interest on that debt. We need to stop that increase in the debt, we need to cut it back.

Voting for this amendment is going to be an important part of this process, but it is only going to be the beginning. We are going to have to step up and make those cuts, but we are going to do it in the interests of our children and our grandchildren.

We must make sure that the budget is balanced by cutting spending, which never seems to happen in this House, particularly on the domestic spending side. We cannot do it by continuing to increase the percentage of people's incomes that goes to taxes.

We have a situation where year after year, whenever we have a crisis with our spending, we increase taxes, we do not decrease the spending. And that is why we have got to support the Barton amendment to level the playing field, because historically we have found it easier here to increase taxes than to cut spending.

This has historically proven to work in States that have the supermajority requirement, and I urge the support of the Barton amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Georgia [Mr. BARR].

Mr. BARR. Mr. Chairman, I thank the gentleman for yielding time.

Mr. Chairman, for too long the American taxpayer has suffered from Congress' inability to control spending. That is why people all across the country, and in particular my constituents in Georgia's seventh congressional district, so strongly support the balanced budget amendment as the first critical step to reining in reckless spending practices of the past.

Passing a balanced budget amendment, however, is not enough. True protection for the taxpayer means passing the BBA with the Tax Limitation or Taxpayer Protection Act. Putting real teeth in the balanced budget amendment, means we must pass the

three-fifths supermajority, tax limitation provision to keep future Congresses focused on cutting spending and reducing the size of government.

In the Judiciary Committee, we passed this version of the balanced budget with strong support of the Members.

Here in this body we have heard the message that people are tired of the waste, tired of the excess and tired of the debt. Last November the people spoke and they want action on the BBA now.

However, there are still those who continue to persist in a vain effort to defeat the will of the people. A number of self-serving arguments have been made in defense of the status quo. One such argument is that we should not consider the balanced budget amendment until we have laid out every single line item to be cut.

That is like telling coach Seifert of the San Francisco 49ers that before he can play the Chargers this Sunday in the Super Bowl, he must turn over the playbook before the big game.

It is an absurd argument to say we cannot vote on the balanced budget amendment until we let opponents gut the bill. Just as it is absurd to expect the 49ers to play, knowing that their opponent has their playbook.

What does make sense are rules that apply to the big game and established the limits that make the game playable. In the same way, the American people are demanding new rules, rules that set finite limits about spending, and therefore, the size of government.

□ 1840

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA], creator of the urban caucus.

(Mr. FOGLIETTA asked and was given permission to revise and extend his remarks.)

Mr. FOGLIETTA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in strong opposition to the Republican balanced budget amendment proposal. The amendment forces us to play blind man's bluff with the economic prosperity of our Nation, and the safety net for our most vulnerable citizens.

For 2 years, the work of our President and the Congress has reduced the deficit. We can make much more progress with more hard work, more tough decisions and more courageous votes.

However, this legislation is far from responsible. It is neither hard, nor tough, nor courageous. What's missing here is honesty. Honesty that would come if the proponents set out the details of how \$1.2 trillion in cuts would be made.

One time, we had a vote on such a plan, though I did not agree with it. It came from the gentleman from New York, now Chairman of the Rules Committee. It would have balanced the

budget over 5 years. It would have cut over \$698 billion in spending, and offered the American people over 500 specific program cuts.

It would have cut the grants that create jobs and private low income housing in cities by \$23.9 billion.

It would have cut child nutrition programs, like school breakfasts and lunches, and WIC, by \$1.9 billion.

Medicaid payments to hospitals, serving large populations of the poor, would have been cut by \$27.5 billion.

The Solomon plan did not raise taxes. It did not touch Social Security. And it increased defense spending. But at least it was honest. And altho that sounds a lot like the Contract with America, only 56 Republican Members voted for it.

We must then assume the proponents of this amendment are looking for something different. And thus, the question still stands. How do you cut \$1.3 trillion in spending?

I, along with JOHN CONYERS and JOSÉ SERRANO, sent a survey to every member of this House, asking how they'll cut the budget. So far, we have not received a single response.

I am convinced that there is a reason why the proponents of this amendment won't tell us how they'll find \$1.3 trillion in spending cuts.

Because the cuts will be so draconian that they will destroy what is left of the safety net.

Because the cuts will be so severe that we will have to break our contract with senior citizens.

Because the cuts will be so tough that they will bankrupt Urban America, I strongly urge my colleagues to vote against the balanced budget proposal.

I am convinced that they only amendment before us that will balance the budget in a responsible way is through the creation of a capital budget. That's why the Wise substitute is the only responsible and honest amendment. It allows us to borrow money to preserve and expand our capital, just like States and cities do, just like every American family does in attaining the American dream of home ownership. It is important that it would leave enough room in the opening budget to keep the safety net in tact, and spend money to meet national priorities like education and economic growth.

The remaining amendments leave us in the dark and could jeopardize this Nation's very future.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. CHABOT], a very valued member of our committee on the Judiciary.

Mr. CHABOT. Mr. Chairman, I rise in support of the Barton amendment which I believe will best protect the American taxpayer. Since this House last voted on a balanced budget amendment, just 10 months ago, before I got here, I might add, the national debt has increased by \$160 billion, less than a year, \$160 billion. That is a whole lot of debt.

Well, it is time we had the courage to do something about it. It is time we passed a balanced budget amendment.

Let us face it, Americans are forced to send far too many of their hard-earned dollars to this city. We must pass a balanced budget amendment now. I support balancing the budget by cutting spending, not by raising taxes.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. BENTSEN].

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I rise in opposition to the resolution. I support a balanced budget, but the proposed constitutional amendment in no way guarantees that we will achieve one, and even then, not until 2002 at the earliest. As the gentleman from Illinois, the chairman of the Committee said in his opening statement, this legislation is about process, and I believe this process is flawed for several reasons.

First, this bill would amend the Constitution to require the Congress to achieve a balanced budget by 2002 or the date after which the States have ratified such an amendment, but it in no way details how the President or Congress would meet the targets necessary to do so. It is ironic that as we begin this debate, few, if any of the proponents have ever submitted a balanced budget for consideration by the Congress. Few, if any, have come to the floor during this debate to explain to the American people what a balanced budget would look like. While many argue that Social Security is off the table, we have no guarantees. Some have gone as far as to say that a balanced budget would make one's knees buckle and to disclose such information would most certainly mean defeat of this measure. My colleagues, that candor in lack of disclosure begs the question that we must answer for the American people, what cuts must we make to achieve a balanced budget? Will it cut Medicare and veterans benefits? Will it cut education and college loans? If that is the will of the Congress, the people deserve a right to know.

Second, this legislation, which I restate is one of process, is inherently flawed. Whichever you choose, the Congress may waive the requirement of a balanced budget by a vote. So if we are not willing to tell the American people how we would balance the budget will we be willing to actually follow through in 2002 when the knee buckling hard decisions must be made? There is no guarantee.

I believe we must take efforts to balance our budget, but to impose fiscal restraints through the Constitution without any explanation is not the way. I have argued for, and I have introduced, legislation which provides for a better, more efficient process. Rather than amend the Constitution, why not amend the Budget Control Act and require the President to submit a balanced budget and the Congress to consider one, next year. This process is

better in three ways: First, it puts the numbers before the American people so they can understand the pain and sacrifice necessary to achieve a balanced budget. That is fair disclosure. Second, it holds the President and Congress accountable by requiring consideration. You have to vote on the issue, not just to waive the requirement as the amendment process would allow. And, third it allows us to more quickly address our budgetary problems because this legislation can be adopted and implemented for fiscal year 1997. If we are really serious about balancing the budget, we should begin the process now, not in 2002.

My colleagues, like many here today, on both sides of this issue, I do not stand before you with an iron-clad plan to balance the budget. I believe there is no one in this House who could achieve that plan without severe pain and sacrifice. If we are going to get serious about achieving that goal, then we must be willing to go to the American people and lay out the details.

Like many of my new colleagues, I came to the Congress from the private sector where balanced budgets are a necessity if you wish to remain in business for a long time. I learned that the only way to achieve cuts was by sitting down together, reviewing the data and sharing in the sacrifice. If we are going to balance the budget, we must sit down with the American people at the same table and resolve together a map toward a balanced budget. I have a plan which provides the process to do so which I have offered. This bill, in my opinion, falls short of that goal because it fails to tell us how we get from here to there and therefore I must oppose its passage.

The CHAIRMAN. The Chair wishes to announce that he inadvertently shortened the gentleman from Pennsylvania [Mr. FOGLIETTA] by 1 minute and has, therefore, added 1 minute back into the time of the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I thank the Chair.

Mr. HYDE. Mr. Chairman, that last activity of the Chair is not debatable, I take it?

The CHAIRMAN. No, it is not.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. FAWELL], the head of the pork busters caucus.

(Mr. FAWELL asked and was given permission to revise and extend his remarks.)

Mr. FAWELL. Mr. Chairman, during the debate Members argue, of course, that we do not need a constitutional amendment because Congress can be trusted to balance the budget without one.

Well, that is what I thought 10 years ago, when I came to Congress. Since then, Congress has rejected countless attempts to balance the budget. Just last year the gentleman from New York [Mr. SOLOMON] and the gentleman from Michigan [Mr. UPTON] and I brought a budget plan to the floor.

We specified, for instance, something like \$700 billion worth of cuts. It would

balance the budget in 5 years. And actually, during that period of time, Federal spending would go up, about \$8.2 trillion of spending over 5 years. We did not even touch Social Security.

□ 1850

We thought it was a pretty good plan. It garnered 73 votes. Congress has failed to balance the budget for 25 years in a row. Who can look at this record and honestly say that they believe the budget will be balanced by trusting the will of Congress? Congress does not lack ideas of specificity on how to balance the budget, it lacks the political will to do so.

Mr. Chairman, I would suggested that the Barton balanced budget amendment be passed.

Russert: "Mr. Secretary, you sound like you don't want to balance the budget. I mean, how long would it take to actually balance the budget?"

Reich: "The President is against simply balancing the budget . . ."

Russert: ". . . what about actually balancing the budget? How long would it take to actually bring its budget into balance with an orderly and disciplined campaign?"

Reich: "But Tim, your question assumes that the goal is to balance the budget . . ."

Russert: "So the goal of a balanced budget is not your goal?"

Reich: "The goal of a balanced budget is not my goal."

This was the exchange between Labor Secretary Robert Reich and Tim Russert of NBC News on Sunday, January 15. Secretary Reich's comments epitomize the attitude of the Clinton administration toward balanced budgets, and the balanced budget amendment, which will soon be before Congress.

Secretary Reich's comments, and the President's continued opposition to the balanced budget amendment, suggest that the administration did not "get the message" of the last election. Two recent polls, CBS and USA Today/CNN, found that 80 percent of Americans support a balanced budget amendment to the Constitution.

In the debate over this amendment, you will hear many arguments by those opposing it. A recent argument is that those supporting the amendment must itemize which programs would be "cut" before passing the amendment. That's been done: Last year Congressmen GERRY SOLOMON, FRED UPTON, and I brought a budget plan to a vote which balanced the budget in 5 years without any tax increases. There were no cuts in overall Federal spending, but rather, decreases of planned increases in spending! We itemized 600 specific spending cuts, saving \$700 billion over 5 years. Nevertheless, overall Federal spending was still allowed to rise \$327 billion over 5 years. Yet, the plan garnered only 73 votes, 218 are needed for passage.

The point I'm making is that Congress does not lack ideas for how to balance the budget. Congress lacks the political will to do it. A constitutional mandate will fortify that will.

Another argument often heard is that we don't need a constitutional amendment because Congress could be trusted to balance the budget without any constitutional amendment. Technically, that's true. Nor do we need the first amendment of the Constitution to guarantee free speech. But we all feel safer

with that first amendment rather than trusting Congress not to pass laws infringing on our free speech.

With respect to attempts to balance the budget, we have tried the statutory route; and tried, and tried. In 1974, Congress passed the Budget Control Act to end deficit spending. The deficit and debt grew. In 1985, Congress enacted Gramm-Rudman I which required a balanced budget by 1990. Congress ignored it, then repealed it. In 1987, we passed Gramm-Rudman II which required a balanced budget by 1992. Congress repealed it in favor of the 1990 Deficit Reduction Agreement, another 5 year plan to cut the deficit which include \$222 billion in new taxes. It failed, new taxes and all. With a new President, in 1993, in the third year of the previous 5-year plan, Congress tried again with the Deficit Reduction Plan which included the granddaddy of all tax increases: \$250 billion. Most of the 1993 plan's cuts were in the out years, years 4 and 5. It is another failure as deficits are expected to soar toward the end of the decade.

Congress has failed to balance a budget for 25 years in a row. Who can look at this record honestly and say they believe the budget will be balanced by trusting the will of Congress?

There is a debate as to whether the constitutional amendment should include a provision requiring a "three-fifths supermajority in both Houses," as opposed to a simple majority, to raise taxes as part of any budget balancing plan. I support the inclusion of this supermajority provision in the Barton balanced budget amendment. Tax increases are not essential in order to balance the budget. As I said, we don't even need an overall cut in Federal spending. It can be done by simply decreasing increases in spending. Should the Barton balanced budget amendment be defeated, I intend to support the Schaefer balanced budget amendment and pass the toughest balanced budget amendment possible.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3½ minutes to the gentleman from California [Mr. BECERRA], a distinguished member of the Committee on the Judiciary.

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Chairman, I thank the gentleman from Michigan, the ranking member, for yielding time to me.

Mr. Chairman, having listened to all the remarks that have been said by most of the Members, it occurs to me we probably, in these few hours, have had to debate what will be a constitutional amendment to the Constitution of this country, and hopefully will last more than the 200 years that we have already spent as a democracy. It occurs to me perhaps the best thing we could have done is had every Member who came on the floor to speak say exactly how he or she would propose that we cut the budget to balance it, if they in fact are supporting a balanced budget amendment.

That is the best thing we could do, because everyone says they want to do it and they do not want to inflict pain on seniors when it comes to Social Security, and they do not want to dev-

astate children by cutting Head Start and other children's programs, but no one who is saying they are for this is saying how they will do it. Everyone talks about how well families have to balance the budget and local governments have to balance the budget and States have to balance the budget, and that is right.

Let us take a family under his balanced budget amendment proposal by the majority party. Could a family out in the real estate market go out there and buy a house? They could if they could come up with every single dollar and dime and cent that that house would cost, because under this proposal they could not run a deficit for a year, so that family would not be able to take out a 30-year mortgage, not be able to take out a 15-year mortgage. They could take out a 1-year mortgage, but by the end of that year they had better pay it all up or they cannot get that house, and they are out.

What about student loans? How many folks have children in school or desirous of going to college? Forget about borrowing money from the Government under the NDSL, the GSL or other student loan programs at low interest rates that allow people to do it, because by the end of the year that family has to balance its books.

Auto loans? Want a car? Need a car? the person had better be able to pay all the cost of that car by the end of the year.

I had a amendment which would have changed the way we look at this balanced budget amendment, and said if we happen to have a surplus one year, then let us use that surplus as a rainy day fund for those days or those years that come along when we have a recession.

I could not even get that amendment considered in committee. I was blocked in a closed rule which would not allow the debate. If I wanted to add that amendment today, I would not be able to because this debate is closed, only to that which the majority said we can debate.

This amendment, Mr. Chairman I cannot offer, as much sense as it might make. Understand something, all the money that we spend in a year, if we end up with a surplus, those agencies that ran that surplus know they cannot use that money. It goes back to the Treasury.

What does it encourage? The use or lose mentality. "I have the money in my account. I had better use it, or I am going to lose it for next year." That is not prudent spending.

Where will the cuts come? I believe we can say that the majority here is playing hide and seek. First the Republicans tell us they are going to increase military spending, not cut it, just increase it. Second, we know we have to pay the debt, the interest on the debt, which is around \$250 billion. That amounts to about 30 percent of the budget. Off the table, we cannot consider it.

What is left to cut \$1.2 trillion to balance the budget? Social Security, which the Republicans have refused to include in this balanced budget amendment as exempted; Medicare, education, Head Start. What is the conclusion? We have heard it before: "Read my lips." The problem is we are not being told what there is.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished deputy majority whip, the gentleman from Illinois [Mr. HASTERT].

(Mr. HASTERT asked and was given permission to revise and extend his remarks.)

Mr. HASTERT. Mr. Chairman, I rise in the strongest possible support of the tax limitation substitute of House Joint Resolution 1 that has been put forward by my friend, the gentleman from Texas [Mr. BARTON]. I have heard comments from our friends on both sides, but especially one comment from one of our colleagues on the other side of the aisle several speeches ago that said "The President, over 12 years of Republican Presidents, had never signed the budgets that were unbalanced, and he had never once vetoed that budget."

That is not true, because the President does not sign a budget and the President does not veto a budget. That is part of the problem. The President does not have any control over this budget. It is Congress that passes the budget. Forty years of Congresses have passed a budget that basically is out of control.

The U.S. Congress has not been able to control itself in meting our dollars and cents to the various programs across this country, and do it without mounting that debt higher and higher and higher every year.

In the past, as recently as two short years ago, this House passed the largest tax increase in history, and it passed it off to the American people as deficit reduction. That is why the substitute offered by the gentleman from Texas [Mr. BARTON] is critical. Adopting this balanced budget proposal and requiring a super majority vote in order to raise taxes will ensure that we can no longer look to the wallets and the pocketbooks of the American taxpayers to save us from ourselves.

Mr. Chairman, a national debt of \$4.5 trillion should finally convince every Member in this Chamber that Congress has not got the discipline to solve its own problems. This balanced budget amendment will put discipline upon us.

Mr. CONYERS. Mr. Chairman, I am delighted to yield 4 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman from Michigan for yielding time to me, and for his leadership on his amendment, which I will address in my remarks.

Mr. Chairman, I rise with the greatest respect for the gentleman from Texas [Mr. BARTON], and in strong opposition to his amendment. I object

particularly to the three-fifths provision of his legislation, but after carefully listening to the debate, I have concluded that while being a strong proponent for reducing the deficit, I do not believe that we should amend our Constitution to do so.

Mr. Chairman, as I was listening to the debate, I thought it might be useful to once again review, and we just made this quickly in our office, so this is not a very fancy chart, but just to call to the attention of our colleagues once again some of the facts regarding our budget.

The fact is, Mr. Chairman, we take in each year more money than we spend in our budget, except for the net interest on our national debt. The projected deficit for this year is \$167 billion. The net interest on our national debt this year is \$235 billion. We have taken in \$68 million more than we spend each year, except for the interest on the national debt. That is a great big exception.

My colleague, the gentleman from California [Mr. BECERRA], referenced that families cannot live within the limits if they have to pay for their house in one year, or their car, et cetera, but we cannot even deduct this interest from our taxes. This is the price we are paying for the failed trickle down policies. Let us not make that mistake again in the contract. That is a little bit of a separate issue from the balanced budget amendment.

Mr. Chairman, our other distinguished colleague, the gentleman from Georgia [Mr. BARR], mentioned that it would be like the 49ers giving the play book to the Chargers for this Congress, this majority, to show what cuts they would make, we would make, to the American people before we approve balanced budget amendment.

I think that is one, with all due respect to the gentleman, one sports analogy too far. The Chargers should not see the 49er play book. The public has a right to know what the cuts will be, so if it is true that Social Security is not to be cut, why not support the Gephardt-Bonior amendment? If Members believe that the American people have a right to know, then why not support the Conyers amendment, which makes all the sense in the world?

Mr. BECERRA. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I am pleased to yield to the gentleman from California.

Mr. BECERRA. Mr. Chairman, I thank the gentlewoman from California for yielding to me.

Mr. Chairman, I would like to just explore that analogy that was made. The interesting analogy that was made by the gentleman from Georgia [Mr. BARR] about the playbook, about the 49ers and the San Diego Chargers, makes it clear that the majority's opinion of this whole debate is that, as the 49ers, they have to keep the play book, in other words, how we will plan to balance the budget, away from the Chargers, which would be the American

people, so they treat the American people as adversaries in this whole process.

Ms. PELOSI. Reclaiming my time, Mr. Chairman, although we take pride in San Francisco of the 49ers being a gentlemanly team, when we talk about football it is a tough game, and I do not think we should play hardball with the American people. I think they have a right to know.

We should support the Conyers amendment, and in addition to that, if we are serious about balancing the budget and reducing the deficit, we had better get serious about real health care reform, so that we can reduce the increase in health care expenditures that are the rising cost of our deficit in our national budget.

□ 1900

But let us just remember once again, we take in more than we spend except for the price tag on the failed trickle-down economics.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRANKS].

(Mr. FRANKS of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. FRANKS of New Jersey. Mr. Chairman, Federal spending is out of control. It is bankrupting our national Treasury and threatening the quality of life that our children will enjoy in the next generation.

There is only one iron-clad way to stop this runaway freight train, and that is through the adoption of a constitutional requirement that this institution balance the American people's budget.

That is why tomorrow I will be proudly casting a vote for the Barton balanced budget amendment but with a level of disappointment. That stems from the fact that neither the Barton amendment nor any of the other amendments pending tomorrow strictly prohibit unfunded Federal mandates.

Virtually everyone who has come to the podium today has indicated that there are only two ways to balance the Federal budget: One is to cut spending and the other is to increase taxes.

But, Mr. Chairman, there is a third option, far more insidious than the first two, and that would come from the Federal Government requiring States and local governments to pick up the tab for programs currently operated and paid for by the Federal Government in Washington, DC. That could amount to an enormous tax hike for local property taxpayers, something that they can ill afford.

Mr. Chairman, judging from the past, Congress will avoid tough budget choices whenever we can. So to shed programs to other levels of government is a distinct possibility and we need to prohibit that possibility.

That is why our amendment that would have prohibited unfunded Federal mandates had the support of the National Conference of State Legisla-

tures, the very body that will be charged with ratifying the balanced budget in the various State capitals around the country.

But, Mr. Chairman, while I am somewhat disheartened by the fact that unfunded mandates are not at issue in this amendment, we hope to take it up separately this summer.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I thank the gentleman from Michigan for yielding me the time.

Mr. Chairman, obviously we are all concerned with balancing the budget. There are three areas, however, Mr. Chairman, that are bones of contention. The first one is the area that my illustrious colleague who just yielded to me has produced an amendment about, and that is to have truth-in-budgeting.

We should be honest with the American people. As my colleagues just indicated before I came up here, Mr. Chairman, we should not play hardball with the American people. They are not our adversaries. Therefore, we should be honest with them. Let them know where the cuts are going to have to occur because they are going to have to occur right in their pocketbook, whether we are talking about Social Security or whether we are talking about our young.

It reminds me, Mr. Chairman, of an adage that says you can judge a society very carefully by how it treats its elderly and how it treats its young. So this is how we must look at balancing the budget.

The second area, Mr. Chairman, has to do with this supermajority. We have heard my colleagues on the other side of the aisle indicate that this is the only way that we can have a sagacious balancing of the budget. But in actuality, that supermajority, that 60 percent is not going to preclude the raising of taxes. What it is going to do is empower a minority rule. I do not believe, Mr. Chairman, that that was the original intent of the Framers of our Constitution. In fact, I would submit and suggest to you that that is unconstitutional and we should not adopt and accept and support the Barton amendment.

Third, Mr. Chairman, as we talk about balancing this budget, we certainly have to realize that we must be honest and we must be fair with the American people and that we must balance the budget fairly.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. KIM].

(Mr. KIM asked and was given permission to revise and extend his remarks.)

Mr. KIM. Mr. Chairman, I rise today in support of this balanced budget amendment.

Mr. Chairman, when I came to this body I was the owner of a small business. It is tough to run a small business, believe me. It is tough to survive even. But one thing I learned running a small business is that I cannot spend more than I can take in. Nor can I spend more than I earn. If I do, I have no choice but to file bankruptcy. No bank will bail me out, no government will give me a loan guarantee, because my business is not big enough, like Chrysler.

So I have a choice. I can lose everything. My lifetime savings. Perhaps even my wife.

Now, for some reason, the Federal Government keeps borrowing endlessly, without any collateral or consent from taxpayers. Just keep borrowing and borrowing. That is not fair.

The Federal Government should operate under the same rule. Laws should apply equally.

Year after year, I am tired of listening to these promises. We keep promising to the American people that Congress is going to do something about this runaway deficit. And here it is. We have got a chance, a golden opportunity to do something about this. We have a resolution to adopt it, but here we go again. More excuses. I am listening to criticism from colleagues for not saying exactly where the balancing should come from.

Mr. Chairman, again back to private business. In private business, we always set the goal and then decide how we are going to meet this goal.

To me, the balanced budget amendment is good. We set the goal. Then later we sit down together and go through this painful process where the cuts should be. That is how I look at it.

We all know that we can do it. We all know that we should do it. So we work together, instead of bickering, and go through this painful process.

Mr. Chairman, it is time to stop talking and start acting.

Mr. GEKAS. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. I thank the gentleman for yielding me the time.

Mr. Chairman, I must say you look great in that position.

The CHAIRMAN. The Chair thanks the gentleman from Wisconsin. He still only has 2 minutes.

Mr. ROTH. I was afraid of that.

Mr. Chairman, many of us have waited a good long time for this vote tomorrow. Because while we have had a chance to vote on this issue any number of times, we have never had a chance to win. Tomorrow we certainly have a chance to win.

I want to thank Chairman HYDE and his committee and the Contract With America, and I want to thank the American people for their vote on November 8 because they are going to make this victory on a balanced budget amendment tomorrow possible.

Mr. Chairman, we have had this issue up before. The last time we had it up

for a vote, we lost by 12 votes. Some of us had hoped that we could have a balanced budget. For example, we had the Solomon amendment a year ago. No tax increases, no Social Security cuts, and we only had a handful of votes.

I have come to the conclusion that, of course, in 15 years we have had 5 statutes which promised a balanced budget but all were circumscribed.

□ 1910

No, there is no other solution than a balanced budget amendment.

This morning at 9 o'clock something happened I hope that does not happen to our country, but this morning at 9 o'clock we had a hearing here on Capitol Hill on the Mexican peso devaluation. We were told by our leading people in this country, the Secretary of the Treasury, the Secretary of State, the Federal Reserve chairman, "We've got to do something; we've got to do something."

Well, that debate is for another day, but I hope that that never happens in our country, that happens to our dollar, but it is going to happen if we have these huge deficits. We now have a deficit of \$4.6 trillion. How much further can it go?

Since the last time we had elections, our national debt has increased by \$170 billion.

My friends, actions have consequences, and this type of profligate spending is going to come back and bite us hard.

Other countries come to the United States for help. Where are we going to go for help? Its time is now. If not us, who? If not now, when?

Let us vote for the balanced budget amendment.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. WISE], a gentleman who has worked on budget matters for so long.

Mr. WISE. Mr. Chairman, I have had the privilege of working with the chairman for many years here and I want to thank him very much.

Mr. Chairman, this is the Congress that is trying to be family friendly. We hear a lot of talk about helping middle-class families and we talk a lot about how families have to balance their budgets, all of which is true. So we can learn from families.

I have heard the analogy often about families sitting down around the table at the end of the month, which is what we have to do, what every family I know has to do, to balance their budget. And as the families balance the budget they know there is something crucial. They know the difference between consumption and they know the difference between investment, they know what it is, they know what is the difference between a dollar that is spent on children going to a roller rink or to a movie, or a dollar spent for food or basic consumption and the dollar spent for investment into the house, into the car, into education.

So, families break their budgets up. Yes, they have to balance, but they break those budgets up into operation and maintenance, or consumption and investment, and so that is why we make mortgage payments every month and that is why we borrow for our automobiles and that is why we borrow for the most important probably of all, to send our children to college and to school. So those are investments that we spread out over a long time, that is the cost of them.

The way we balance our budget is we balance the consumption and we balance, and then we add in debt service on those investments. Not many of us, this Member certainly not, cannot afford to buy a House in one year or a car or a college education.

That is what my amendment and the amendment that many others are co-sponsoring tomorrow does. It says you should take Social Security off budget. Everyone said they do not want to touch Social Security. We give Members that opportunity. You cannot touch it; it is gone; it is off budget.

But the other thing we do in this that none of the other amendments will do that will be in order, is to have a capitol budget so the roads, the bridges, the infrastructure, those things which in some ways families would pay mortgage payments on, the Federal Government can now account for in the way that a family does. You pay the mortgage on our House; we would have debt service on our roads, on a bridge, on water or sewer systems, particularly those things that bring back far more in economic return than what we ever spent on them.

We have to make sure this country grows. My major concern with many of the balanced budget proposals, as well-intentioned as they are, is because they chop off growth because they count a dollar for investment the same as a dollar for welfare or a dollar for food. That is my main concern.

I urge Members to look at the Wise substitute tomorrow, the only one we will have a change to truly invest in growth and have a chance to do what American families do, recognize the difference.

Mr. BECERRA. Mr. Chairman, will the gentleman yield?

Mr. WISE. I yield to the gentleman from California.

Mr. BECERRA. Mr. Chairman, the gentleman from West Virginia makes a very good point. I think some folks that may be watching may think those of us who are saying this balanced budget amendment is the wrong way to go are against ever balancing the Federal budget when of course we want to balance the budget, but we want to be realistic. That is why the gentleman from West Virginia's alternative is really a sound way to go because, as I explained earlier, if this was a family, and we are a family in America and we were trying to make decisions for this family of America, we would want to be able to purchase a home and, we

would like to be able to get a 30-year mortgage or send our kids to college and be able to get some student loans to help pay the cost.

If the gentleman can explain, does the balanced budget amendment that is on this floor by the majority party, the Republicans, allow for that?

Mr. WISE. There is no capitol budget program. It counts a dollar of consumption exactly the same as a dollar of investment, even though the investment dollar will bring you back much more in economic growth and tax revenues.

Mr. BECERRA. And the gentleman's proposal which does provide for capitol budgeting, could that allow for that type of process, a 30-year mortgage?

Mr. WISE. Yes, it would.

Mr. GEKAS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Chairman, I support passage of a strong balanced budget amendment.

We must obtain control over our debt. This Government has not produced a balanced budget since 1969. Today we are saddled with a \$176 billion deficit, nearly \$300 billion in annual interest payments, and a debt of some \$4.7 trillion.

This situation cannot continue.

We will soon consider several versions of the balanced budget amendment. I believe the Barton amendment, which requires a three-fifths vote to raise taxes, is superior. However, if the Schaefer-Stenholm amendment, which does not include this provision, garners the most votes, I will support it on final passage.

Neither of these measures represents a cure-all for our problems. But each would require the Federal Government to finally be accountable to the American people.

While a balanced budget amendment will require hard decisions, it is not synonymous with a threat to our seniors. Rather, it is our monstrous debt and the interest on it that most threaten social security and other truly vital programs.

The time for easy decisions is over. We must prioritize. I urge passage of a strong balanced budget amendment.

Mr. GEKAS. Mr. Chairman, may I inquire as to the time remaining?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GEKAS] has 18 minutes remaining, and the gentleman from Michigan [Mr. CONYERS] has 9 minutes remaining.

Mr. GEKAS. Mr. Chairman, I yield 6 minutes to the gentleman from Texas [Mr. BARTON].

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to spend a little bit of time explaining exactly how the tax limitation provision in the balanced budget amendment would work. There has been gnashing of teeth about how stringent that process might be and how difficult it might be to implement. Fortunately for the United States Congress, there is ample evidence of how tax limitation amendments to balanced budget amendment requirements would actually work.

I think it has been pointed out on the floor earlier, there are 9 States that have a tax limitation provision either in their Constitution or by statute, including the State that the President is from, the State of Arkansas, which has a three-fourths requirement to raise taxes.

The Heritage Foundation has done extensive data collection to see if in those States that have tax limitation, it does work or it really does not work, and the record shows at the State level that tax limitation in point of fact does work.

Between 1980 and 1990, in those States that had a tax limitation provision, taxes went up by a total of 87 percent in that 10-year period. In the States that did not have tax limitation provisions, their taxes went up 104 percent.

That is a difference of 17 percent. In States that have tax-limitation provisions, taxes went up 17 percent less in a 10-year period between 1980 and 1990 than in those States that did not have the tax limitation provision.

Why do we want a tax limitation provision at all?

□ 1920

Ultimately you want that, because you want to make government more effective, you want to make government more responsive to the people, and you want the Government to spend less money.

If you do not have as much money to spend, you do not spend as much money.

The States that, again, have a tax-limitation provision by statute or in their constitution, their spending did go up, but it went up about 9 percent less than in those States that did not have a tax-limitation provision on the books, again, in the period between 1980 and 1990.

So what does that mean? If you take those numbers and put them at the Federal level, a 9-percent reduction in Federal spending would be over \$100 billion in the fiscal year that we are in today. So the bottom line is not only do we need to balance the budget in Washington, we need to balance it by having a tax-limitation provision on the books, because tax limitation does work.

If we do that, we are going to have to make some tough calls. You know, people have asked me, "Well, Congressman BARTON, you are the sponsor of this provision. How are you going to balance the budget? Where are you going to cut?" My answer is quite simple, "I

think we look at every Federal program."

We passed a resolution on the floor earlier this afternoon that specifically exempts Social Security. So some people have come to me and they say, "Well, that is only for this year. Why not exempt Social Security in totality by putting it into the constitutional amendment?" And the simple answer to that is because if you exempt any program in the amendment itself, it goes into the Constitution. It would not be totally hypothetical to think at some point in the future everything in the Federal budget would be in that program. We could have an instance where the Social Security budget at some point in time, if it were specifically exempted in the Constitution, not only would include the Social Security budget as we know it today, it could include the defense budget. We do not want to put into the Constitution any specific exemptions.

Finally, Mr. Chairman, let me simply state that the three-fifths requirement for a tax increase is important, because it balances the amendment. We have the three-fifths requirement in the Stenholm-Schaefer amendment to raise the debt ceiling; we have the three-fifths vote requirement to borrow money in a given fiscal year. If we do not put the three-fifths requirement in for a tax increase, we have really created an incentive, intentionally or not, to balance the budget by raising taxes.

So I would respectfully request that when we actually come to the vote tomorrow that the colleagues in the Chamber vote for the Barton-Hyde-Tate-Geren tax-limitation, balanced budget amendment and send it to the Senate where we encourage the Senators to do likewise.

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I am happy to yield to the gentleman from Pennsylvania.

Mr. GEKAS. As I was listening to the gentleman recite the record of the States and the supermajorities in those States, it dawned on me, someone else has mentioned before that in those States where the taxes were raised even in the face of the supermajority, it almost had to be, did it not, a bipartisan vote that finally carried the day?

Mr. BARTON of Texas. The gentleman is correct.

If I could respond, the gentleman is correct, because in the nine States that have tax-limitation requirements, it is a bicameral, bipartisan legislature, and my understanding is that it was a bipartisan effort.

Mr. GEKAS. I thank the gentleman.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS], who serves as our chief deputy whip, in addition to his other responsibilities.

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank my friend and colleague, the gentleman from the

State of Michigan, for yielding me this time.

Mr. Chairman, our Constitution is an extraordinary document. Our Constitution is the only document of its kind in the world to have lasted so long and to have been used so often as a model for other nations.

This balanced budget amendment that we consider tonight would dishonor our Constitution. It substitutes good politics for what is good policy, for what is right.

Make no mistake. I want a balanced budget like everyone else. I do not want our children and unborn generations to bear the burden of the deficit and increasing national debt.

But I believe we must deal with this issue in a responsible and sensible way. Passing the buck to future sessions of Congress is not responsible.

The new Republican majority must tell the American people what they are going to cut, whether it is Social Security, Medicare, a school lunch program for our children.

Our knees, the American people's knees, will not buckle as some on the Republican side have suggested.

Two years ago Members on this side of the aisle made the hard choices needed to reduce the deficit. We reduced the Federal deficit by over \$500 billion. We acted responsibly. I expect no less from those on the other side of the aisle.

Now they are in charge. They are in control. Lay your cards on the table face up. Tell us the hard choices you are willing to make, be straight with our children and the elderly. Tell them what they will have to do and what they will have to do without.

We do not need this amendment to our Constitution, Mr. Chairman. What we need is courage, raw courage, to make the tough choices facing our country.

Have the courage to do the right thing and vote against this amendment.

Mr. GEKAS. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. CHRISTENSEN], the only unicameral State in the Union.

Mr. CHRISTENSEN. Mr. Chairman, in February 1982 President Ronald Reagan said the Federal Government has taken too much tax money from the people, too much authority from the States, and too much liberty with the Constitution. Truer words were never spoken.

That argument is as germane today as it was 13 years ago. Last year we experienced the largest tax increase in American history, and yet, sadly enough, the deficit continued to grow. The time has come to restore fiscal sanity in our Government and pass the Barton balanced budget amendment.

I was sent to Washington to reform government, to change the way Congress does business. In the first 3 weeks of the 104th Congress, we have barely scratched the surface of the Contract With America, the vehicle for the very

reform that the American people sent us here to do.

The balanced budget amendment is at the heart of this contract. Since 1935 the American people have been waiting for Congress to pass this measure. Patiently they have waited year after year, only to see another legislative year pass by with no balanced budget amendment.

How long will we make them wait?

The opponents of the balanced budget amendment and our own President of the United States last night said before we pass the balanced budget amendment and send it to the States for ratification we must specify every cut for the next 7 years. I ask those opponents if someone decides that they want to lose weight and live a healthier life, do they not first take a pledge to eat right and exercise, and after taking that pledge, then lay out a plan and a schedule of how they will attain their goal?

Ladies and gentlemen, our Government is fat with debt. The only way to insure a healthy America is to pledge to this country a balanced budget and define that commitment within the United States Constitution.

Once we have sealed our commitment, we will lay out a national diet of fiscal responsibility, balanced by the exercise of spending cuts across the board, and with any good diet, we will forbid the consumption of pork. We will insure our agreement by mandating that only the consent of three-fifths of this body, as laid out in the Barton amendment, not just a simple majority.

We need to consider this Barton amendment. We need to seriously consider this, because it is very important. We need to put handcuffs on our Federal Government so they cannot turn to raising taxes every opportunity they get.

My colleagues, this Nation is broke. Tax increases alone have not solved the problem. We must begin now to put America back on track.

I stand in strong support of the Barton balanced budget amendment and encourage my colleagues to join in this effort.

□ 1930

Mr. GEKAS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding this time to me.

Mr. Chairman and my colleagues, I rise in strong support of the balanced budget amendment for three reasons. First of all, we have no choice. We are spending \$800 million every single day on interest. Soon we will be spending \$1 billion every single day on interest on the national debt. We cannot ask our children to support a growing number of seniors living 20 and 30 years after retirement and spend a billion dollars a

day on interest on the national debt. We will destroy their standard of living, we risk our own democracy.

It is that serious.

We must balance the budget. We have no choice.

Let us look at the record of this body. I have been here 12 years, since 1985, and I have submitted balanced budgets, line by line, cuts. They were reasonable when the problem was manageable.

I have had the Democratic chairman of the Committee on the Budget get up and say to the moderate Republicans who proposed this budget, "Good thinking, thoughtful, real good effort. We are going to do most of this." But it never happened.

I have submitted budgets, I have been part of bipartisan teams to submit budgets, I voted for tax increases and spending cuts, and it has gotten worse and worse and worse.

So our record is bad. In the States, that has been the harness, a balanced budget amendment, which forces attention to this matter on a year-by-year basis. It has worked for them. We must try it, because we are squandering the Nation's resources and compromising our children's future.

Third point: How do we achieve it? Of course, we cannot tell you. How many times have you walked into factories in your districts? I can tell you I have walked into a factory in my district, faced with the absolute panicked look on the faces of the leadership who had just found out they were going to have to be required to cut 20 percent of their workforce in 1 year. I said to them, "How will you do it?" Their answer was, "We don't know."

I came back a year later, and I said, "How did you do it?" They said, "Well, we did this, and then we did that, and then we found out we could do this and do that, we discovered that not only could we do it, but we improved the quality of the product."

I remember in one factory I went to, I said "So what now?" I get this terrible stare that said, "We just learned we have to do it again."

Now, do we know how to do it? No. But we do know that if we have to do it, we can do it. We do know that if we have to do it, we will face up to the fact that those kids cannot support public employees retiring 10 years before they can retire. We do not like talking about that. We do not want to make that decision.

These are tough times. Let us do it, let us have the guts, the courage to serve not only our people but our children.

The CHAIRMAN. The Chair will remind the committee that the majority does have the right to close.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from North Carolina [Mr. WATT], a very able and committed member of the Committee of the Judiciary.

Mr. WATT of North Carolina. I thank the gentleman for yielding this time to me.

Mr. Chairman, I have sat throughout this debate, the entire course of it, and I think we beat this dog probably as much as we can beat it, as we say in North Carolina. I have not heard anybody come here who has not expressed a commitment to a balanced budget. But the American people should know that it is really the debt, the national debt that is the drag on us.

So a balanced budget is not going to get us there. It is going to take a series of surplus years to start the reduction in the national debt.

I think everybody has talked about that at one level or another. I want to come at this from a slightly different angle because the real problem that I have with the balanced budget amendment, this balanced budget amendment and all of the balanced budget amendments that are coming before us under the series of amendments, is that they jeopardize my right to have an equal vote in this institution.

Every amendment that is coming before this body has a three-fifths majority of some kind in it. Everything that I stand for tells me that my vote and the votes of my constituents, based on constitutional principles, ought to be equally valued.

So I cannot support a constitutional amendment that says to me that next week or next year or in the year 2002 somehow my vote in this body is going to be less valuable than another Member of this body.

This three-fifths majority devalues my vote.

The second problem is that despite all of the protestations to the contrary, the American people do not operate their lives on a balanced budget every year. We fund the acquisition of homes by borrowing, we finance education by borrowing. Those are investments that we make because we think they are important.

Over time, over a long period of time, we pay those things off, but they pay dividends to us in the meantime.

Now I had an amendment that I offered before the Committee on Rules, I tried to get it to address this issue of devaluing my vote.

I went to the Rules Committee and I said, "Here is an amendment that would have a balanced budget amendment to the Constitution, but when we were going to waive that balanced budget amendment, we come back in here and we would take a vote by majority so that every Member of this House would continue to have an equal value to their vote because that is the constitutional principle, that is the majority rule principle, that is the American way, that is the fair way."

But the Committee on Rules, I say to my colleagues and the American people, elected not to make this amendment in order. I had nine other amendments that I tried to offer to this bill in the Committee on the Judiciary on

which I sit. The committee closed down at 6:30 on Wednesday, 2 weeks ago, and said, "We are not going to take any more amendments. We don't care whether you are a member of this committee or not, we are not going to let you offer any amendments."

So I am being deprived of the value of my vote; I am being deprived of the opportunity to offer amendments on this floor, and I think that is the disservice that we are doing to the American people.

We have got to debate these things regardless of the outcome of the vote and come in and vote and take those hard choices, and then we can maybe balance the budget.

Mr. GEKAS. Mr. Chairman, I yield 2½ minutes to the impeccable gentleman from Louisiana [Mr. TAUZIN].

□ 1940

Mr. TAUZIN. Let me first thank my friend, the gentleman from Illinois [Mr. HYDE], for assuming my position as the second sponsor of the Barton-Tauzin amendment which has been an amendment before this body for many years. I can think of no finer gentleman to assume this role in this new majority than my friend, Mr. HYDE. I also want to congratulate my friend, the gentleman from Texas [Mr. PETE GEREN], for the role he is playing in the effort to pass the Barton-Hyde-Geren-Tauzin—many Members—bipartisan amendment to the U.S. Constitution, a required balanced budget and to require it in the right way. I want to make just three points tonight:

In this age of cyberspace and high-speed technology in communications there is a word that is very current and very popular right now called a new way of seeing things. It is a paradigm, it is called, a new way of looking at things, a new way of seeing things, a new order of things. The old paradigm here in the U.S. Congress and in America has been very simple. People elected Members to go to Congress to get back as much of their tax dollars as they could, and bring them back home and spend them at home, and let me tell my colleagues that paradigm has worked wonderfully. We have all done a marvelous job of that. Every one of us has been extraordinarily good at coming to Washington, bringing back our taxpayers' dollars back to home and spending them at home. In fact we have done such a wonderful job of it that we spend a great deal of money more back home, more than our taxpayers sent to Washington, DC. It is called a deficit. It is called a debt. We have operated under this old paradigm for many, many years now, and we have riddled our country with debt as a result while we have brought the bacon home.

I think the message of the last few elections has been very simple. The message of the last few elections has been to cut it out. It is time for a new paradigm. It is time for us to elect Representatives to Washington who

will stop spending money we do not have.

The new paradigm is to come up here and balance the budget. I ask, "How do you do it? Do you do it by borrowing in a capital account, as some have recommended?" Well, this Government borrows. Unlike most families in America, Mr. Chairman, we borrow and never pay the debt. The debt just piles up. We never pay the mortgage. It piles up on us and our children.

Second, do we balance the budget by raising taxes on Americans again, and again, and again? That is the easy way, but they are telling us to cut spending first, and I say to my colleagues, "If you want to cut spending first to balance the budget instead of taxing the dickens out of the people at home, you need to vote for the Barton-Hyde-Geren-Tauzin amendment to the Constitution."

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Michigan [Mr. CONYERS] is recognized for 2 minutes.

Mr. CONYERS. Mr. Chairman, all I can think of is what has been the weight or the effectiveness of the discussion on amending the Constitution of the United States that has transpired on this floor today, and I think on balance, as we study our CONGRESSIONAL RECORD, as our citizens across the several States examine the arguments for this important policy change, I think that there will come up a shortage of logic that would persuade people that we have now reached a system or a process that would make sense in making this massive change out of desperation, to be sure, to the Constitution because the bulk of all of the arguments that I have heard for this amendment is that we are failing, we have tried everything else, and there is nothing left to do.

In my judgment that is not enough. In my judgment we have already started reducing the deficit annually, and from that modest position that we find ourselves, Mr. Chairman, we could easily begin to build on increasingly reducing the deficit and, ultimately, the national debt.

So, Mr. Chairman, I leave this first day of leading the debate on this side on a constitutional amendment disturbed that there has not been a persuasive case made for a constitutional amendment.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I speak out in support of the balanced budget amendment not only because I believe it is good policy or that it is a policy that is supported by many of the leaders of this body, but because it is a policy that is supported by the people of my district. There was no issue that I found stronger support for than a balanced budget amendment during my campaign, and I believe the reason that the public recognizes that

we need this is because they have seen in more than 30 of our States that the States, when they implement their constitutional amendment to balance the budget, that the leaders in their legislative bodies are able to balance the budget. Yes, they have to work hard, make tough decisions, stay until late at night, but they are able to when the fire is put to their feet.

The people of this great country have been very patient with this body, asking for the past 15 years that we balance our budget. They are not holding us to a higher standard. I believe we need to submit to their will, pass a balanced budget amendment.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. GEKAS] for yielding this time to me.

The distinguished ranking member of the Committee on Government Reform and Oversight just a moment ago said that at the conclusion of the first day of a very important and historic debate in this country on the balanced budget amendment he had not heard convincing argument, a persuasive argument, for enacting a constitutional amendment requiring the Congress and the President, that is to say, the legislative and executive branch, to enact an annual Federal budget that is balanced. Well, let me provide that argument, counterargument.

Congress has failed to control the deficit despite legislative attempts to cut Federal spending. At the end of 1994, Mr. Chairman, the deficit was projected to be \$223 billion, and the public debt, the national debt that is passed on to our kids and grandkids, all future Federal taxpayers, which is the accumulation of each year's deficit, will reach \$4.7 trillion. Left unchallenged the deficit will grow and continue to reach crisis proportions early in the next century.

The choices are hard, but necessary, and that is why we must enact a balanced budget amendment to impose a very real fiscal restraint in this body.

Mr. GEKAS. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, I appreciate the opportunity to address the body tonight inasmuch as we really have a historic time to pass what will be a balanced budget amendment with a three-fifths tax limitation which is what the country really wants. If we put our fiscal house in order everything else in the Contract With America can be accomplished, but this is the most important part of the contract. We want to make sure that if we have people, we have families, that have to be on budgets, this Congress has to be on a budget, and I thank the gentleman from Pennsylvania [Mr. GEKAS] for this time that he has yielded for this purpose.

Mr. GEKAS. Mr. Chairman, I yield the remainder of the time to the distin-

guished gentleman from Illinois [Mr. HYDE], an institution within an institution.

The CHAIRMAN. The gentleman from Illinois [Mr. HYDE], an institution, is recognized for 1½ minutes.

Mr. HYDE. I think the gentlemen are suggesting I should be institutionalized.

Mr. Chairman, I just want to say as to the supermajority on raising taxes:

When the government expands its power from one level of gross domestic product to another in terms of its fiscal reach, that ought to be an extraordinary decision because we are reaching into people's pockets and we are taking a great rate of the blood, sweat and tears that they have earned through their own work. So that extraordinary reach ought to be an extraordinary decision, and that ought to call for an extraordinary vote. So to increase taxes, to increase the reach of government, it seems to me is an extraordinary decision. It has not been until now, but we are going to try to make it an extraordinary decision, and not have that left to a simple majority vote.

□ 1950

Sixty percent is not that tough to get over 50 percent, but it is a little tougher, and we want to avoid the bias towards increasing taxes as the line of least resistance to balancing the budget.

I would say to my friend from North Carolina, the only amendment that the gentleman offered to be brought before the Committee on Rules was one we did vote on in the full committee, and he lost 13 to 19. I will agree the Committee on Rules did not have a relitigation of that issue, and I wish they had because the gentleman is a member of the committee. But the other nine amendments that the gentleman says he had, I never did see them, but he said he had them. He must not have thought too highly of them, because he did not even offer them.

Mr. OLVER. Mr. Chairman, I also favor the Wise capital budgeting balanced budget amendment version because I do not support adding public-policy-related supermajority requirements to the Constitution.

Supermajority votes are appropriate in the checks-and-balances interplay between the co-equal branches of government, like ratification of treaties, override of vetoes, and the impeachment or approval of executive or judicial branch officers. They are also appropriate for expulsion of Members of Congress, an extreme action which constitutes, in a sense, an override of the will of the people.

But final say on issues like annual budget policy should not be constitutionally delegated to a minority, as Madison warned in the Federalist Papers. If we constrain revenue and expenditure numbers to a supermajority requirement, we put ourselves on a slippery slope to other ideologically based encroachments on the principle of majority rule, a fundamental tenet of our Constitution as it now reads.

Irresponsible borrowing certainly must end, but responsible governing should not.

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the balanced budget amendment because it represents the strongest incentive to force the Federal Government to live within its means.

If we act now, we will still have the flexibility to set budget priorities to protect Social Security and other vital programs. If we delay, the budget deficit will continue to grow and could eventually threaten every Federal Government program in the future.

Today, interest payments take up 14 percent of our Federal budget. That means every day, we pay more than \$800 million just to service the Federal debt. If we take no action, that percentage will continue to increase and claim even more Federal dollars, at the expense of other important programs.

The longer we wait, the worse the alternatives are going to be. If we act now, some small sacrifice will be required of all Americans. If we wait, I am afraid we will be facing tremendous sacrifices and as we are to make drastic cuts to programs throughout the Federal Government.

Mr. Chairman, we can't afford to wait any longer. The time is now to pass this amendment and get on with the job of restoring fiscal responsibility.

Mr. SERRANO. Mr. Chairman, I rise in strong opposition to House Joint Resolution 1, proposing a balanced budget amendment to the Constitution of the United States.

Virtually every Member agrees that we must reduce the Federal deficit. We began in the 103d Congress with responsible steps to raise revenues in a limited way and to reduce spending, and those efforts must continue. But passing a constitutional amendment to require a balanced budget is not responsible. There are two possible outcomes, neither of which is desirable.

One is that a balanced budget amendment will be ignored and the respect due our Constitution will be eroded.

The other is that a balanced budget amendment will be obeyed, harming the economy and limiting the Federal Government's ability to meet national needs.

But I don't only oppose House Joint Resolution 1 because it is a balanced budget amendment; I oppose it because it is a bad balanced budget amendment.

House Joint Resolution 1 puts the entire range of Federal activity, from responding to hunger and homelessness, to protecting health and safety, to investing in education, training, research and development, and infrastructure for long-term growth, at risk, along with the contracts the United States has made with our senior citizens, our veterans, our states and cities.

The populations most reliant on federally supported income support programs are our elderly and our children.

But, however earnestly some Members promise to keep Social Security off the table, there is nothing in House Joint Resolution 1 to protect it when the time comes to balance the budget.

The Children's Defense Fund estimates that, if Social Security and defense are protected, the BBA would force cuts in other Federal spending of 30 percent. The impact on children would be devastating. If the cuts simply reduce caseloads, 6.6 million children could lose Medicaid health care coverage, and 4.3 million could lose food stamps; in New

York, over half a million children would lose Medicaid and nearly 300,000 would lose food stamps.

But programs for poor children, like those for other poor and underserved people, may not see cuts held to 30 percent; having no votes and no highly paid lobbyists, our most vulnerable people may be hit even harder.

House Joint Resolution 1 does not permit a waiver of the balanced budget requirement when the economy is weak, so it is likely to have a countercyclical effect. As unemployment rose and our people's need for federal assistance grew, tax receipts would be falling, and spending would have to be cut even deeper to meet the BBA's requirements. Recessions would become more frequent and deeper.

House Joint Resolution 1 does not provide for unforeseen situations such as natural disasters—the recent flooding in California. Tax increases or spending cuts would be required to offset spending to meet emergencies. A disaster would bring suffering on many more people than its immediate victims.

The requirement of supermajority votes for raising taxes undermines the principle of majority rule, giving excessive power to a minority of the Members of each House. It also distorts the process of achieving a balanced budget and is likely to lead to indiscriminate cuts and possible elimination of critical Federal programs.

Mr. Chairman, beyond these issues, there are many unanswered questions about and deficiencies in House Joint Resolution 1. Democratic Members of the Judiciary Committee tried to deal with these questions and deficiencies by preparing amendments for full Committee markup and the floor, but amendments offered in Committee were defeated on party-line votes, markup was cutoff before more than half of our amendments were offered, and the Rules Committee denied us the right to offer them on the floor.

I can only note that, had these changes been made, House Joint Resolution 1 would be much longer and much more detailed—an even clearer argument against making economic policy in the Constitution.

Mr. Chairman, Congress already has the tools to reduce the Federal deficit and has been using those tools for the last 2 years. We know the choices will be extremely difficult, but making those choices is the only way to bring the deficit down.

We do not need a constitutional amendment, and we most emphatically do not need House Joint Resolution 1. I urge my colleagues to vote against this and any other balanced budget amendment to the Constitution.

Mr. SMITH of Michigan. Mr. Chairman, I support a balanced budget amendment but suggest that a provision to limit Federal spending to the growth of the economy is also desirable.

The problem of Federal deficits is simply a symptom of the larger problem of massive growth in the Federal Government. James Buchanan and Richard Wagner discussed what happens when the populace begins to believe that the Federal Government need not practice fiscal restraint. Their 1997 book "Democracy in Deficit"—published before the era of \$200 billion a year budget deficits—describes how this opens the door to ever-increasing deficits, which are then monetized by the Federal Reserve, leading to continuous reduction

in the value of the balanced budget amendment.

While such an amendment sounded somewhat radical sixteen years ago, it sounds almost mainstream today. I suggest, however, that instead of a balanced budget amendment, we apply to the Federal Government a variant of what Michigan applied to its State government in 1978 when it adopted the Headlee amendment to the State constitution. The basic components of the Headlee amendment are: First a limit on the size of State government achieved by holding state revenue to the same fraction of personal income that it was when the amendment passed in 1978; second, a requirement that the state maintain its proportional share of spending to local government and reimburse local units for any mandates imposed by the State; and third, a provision requiring a vote of the local populace for any increase in local taxes.

The purpose of the second provision was to prevent the State government from avoiding the limitations on its growth imposed by the first provision by shedding its financial support of the local units and requiring them to provide services and programs that the state was unable or unwilling to pay for. A blue ribbon commission appointed by Governor John Engler to study the Headlee amendment recently concluded that the Headlee amendment had been effective in limiting the growth of State government.

In order to keep the requirement of a balanced budget from resulting in massive tax increases and a deterioration of the economy, my suggestion is to limit the growth of federal spending by setting a limit on the amount of Federal outlays relative to gross domestic product [GDP]. This would cap Federal outlays at the percentage of GDP consumed at the time of submission of the amendment to the states. Federal outlays could never, in any year, exceed the growth of GDP. In this way, if outlays were less than the ratio in one year, there would be a permanent reduction in the ratio of Government spending to GDP. The Federal Government could not mandate that the States provide any service that they are not already providing, unless it fully funded the mandate. Combining this with a phased-in balanced budget requirement would result in attacking the real problem—the growth in Federal outlays over time, whether this growth is funded by taxes, borrowing, or inflation of the currency.

Of course, there are details, and as they say, "the devil's in the details." An emergency provision to allow deviations from the limits during time of war is an example. The definition of federal outlays, which would appear to work at this time, will no doubt be strained over time. However, it is probably easier to set standards regarding outlays than debt, considering the pitfalls to defining debt that your editorial pointed out.

There are at least three reasons why a provision to limit spending should be part of a balanced budget amendment. First, it is a moderate proposal. It does not require a reduction in the absolute size of the Federal Government, but only that the Federal Government not get larger relative to the size of the economy. Second, it has been tried at the State level and appears to have accomplished its basic purpose. Third, it gets directly at the problem of growth of the Leviathan rather than trying to get around it indirectly by limiting how

much the Government can borrow and then hoping that political pressure against taxes will restrain Government growth.

Mr. BALLENGER. Mr. Chairman, I rise in support of the Barton three-fifths tax limitation version of the balanced budget constitutional amendment. Earlier this month in an article in the Wall Street Journal, Milton Friedman, who received the 1976 Nobel Prize in economics, argued why a tax limitation amendment is so very important.

The Barton amendment's limitation on taxes would force the achievement of a balanced budget through a reduction in spending rather than an increase in taxes unless a super-majority of three-fifths voted to raise taxes. The other amendments are not as strong, because there is nothing in them to prevent balance from being achieved by a massive tax increase. And, nothing to prevent further increases in Government spending as long as they were accompanied by higher taxes.

After all, as Mr. Friedman argued, "the real burden on the economy is what the government spends—or mandates others to spend—rather than how much it received in taxes." If you raise taxes, you can spend more—even with a balanced budget amendment to the Constitution, if that amendment does not limit tax increases.

I urge my colleagues to seize this opportunity and cut Government down to size. Vote for the right kind of balanced budget amendment—the Barton three-fifths tax limitation amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of the balanced budget amendment, House Joint Resolution 1. This amendment to the U.S. Constitution to require a balanced Federal budget is not a new idea. Balanced budget amendment proposals have been introduced since the 1930's and, in recent years, have fallen just short of passage in Congress on several occasions. In 49 States, there is some form of balanced budget requirement—including the State of New Jersey.

In Congress, this balanced budget amendment is only the beginning of the process of amending the U.S. Constitution. It is a big step for Americans to amend the U.S. Constitution, and that is as it should be. Of the several thousand proposed amendments in 206 years, only 27 amendments have been ratified by Congress and by the States—and one of those (the 21st amendment) repeals the ban on alcohol proscribed by one other—the 18th.

Amending the U.S. Constitution requires a two-thirds majority in the U.S. House (290 votes) and in the Senate (67 votes), and ratification by three-fourths of the States (38 of the 50 States). The drafters of the Constitution placed a great deal of weight on the powers delegated to the Federal Government and those that remain with the States, giving the States the ultimate decisionmaking powers regarding amendments.

They also saw a limited role for the Federal Government in taxation and borrowing—a role which has been greatly expanded during the current century. The Framers of the Constitution clearly saw Federal debt as an emergency matter at times of national or international crisis, not as a means of normal operations. Likewise, taxation was for specific and justifiable purposes. It is the breakdown of both of these principles that has led to our current budget problems.

I believe Congress has an obligation to send this question to the States, so that we can engage in a much needed and lively debate on the broader question—what is the role of the Federal Government and at what cost?

Our experiences with State budget balancing requirements have provided several positive outcomes from this important fiscal discipline. It imposes discipline on legislators and executive branch. It, therefore, requires a closer working relationship between these two branches of Government. And, the requirement ultimately will force all parties to sit down and work out their differences to maintain the required balance.

Having worked under the balanced budget requirement, I believe it will promote better communication and governance—at least that's been my experience as a State legislator in New Jersey. It has been 25 years since the last time the Federal Government's books were balanced. Of every dollar collected in Federal taxes, 15 cents goes to pay interest on the national debt—more than \$200 billion a year, further drawing down the amount available for other Government programs.

Clearly, our current situation is not due to under-taxation, but to over-spending. The Federal Government collects \$5 in taxes today for every \$1 it collected 25 years ago. The problem is that Government spending today is up \$6 for every \$1 spent in 1968.

Some may claim that the balanced budget amendment is a gimmick. Rather, I believe it will finally provide the discipline to the Federal budget process that has failed, to date, to control Federal spending—even with the best efforts of individual Members committed to deficit reduction and despite the demands of the American taxpayers.

Mr. EMERSON. Mr. Chairman, the Constitution is fundamental law; indeed, it should deal only with fundamental questions. I agree with Thomas Jefferson: "The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay them ourselves." I urge you to keep these important words in mind as we debate the crucial issue of balancing our budget.

In my 14 years in Congress, my record has demonstrated my strong commitment to the senior citizens of this country. For this reason, I resent the attempt by some in this Chamber to scare senior citizens with misinformation about how the balanced budget amendment might affect Social Security. There is nothing in the balanced budget amendment that says that the Social Security trust fund will be cut or that Social Security benefits will be reduced for anyone.

The fact is that Congress can balance the budget without touching Social Security. The budget can be balanced in the year 2002 by simply restraining the growth of all other Federal spending to 3 percent per year, instead of allowing it to increase by 5.4 percent annually under current policies. A balanced budget amendment is the first step toward guaranteeing the financial security of our retirees. Because the Government must continue borrowing from the Social Security trust fund to finance the current debt, we are on a course of destruction toward the painful task of cutting benefits or raising payroll taxes. By enacting a balanced budget amendment, we halt this

troublesome path by imposing the budgetary discipline necessary to safeguard our future generations.

I would also like to take this opportunity to make very clear my support of the three-fifths proposal contained in the Barton amendment. Raising taxes should be a matter of last resort. The process of raising taxes should not be simple or easy. We need a mechanism to force spending reduction before new taxes are levied, just as we need a mechanism to force a prioritization of spending issues to achieve a balanced budget.

The majority party is committed to following through on its promises. The balanced budget amendment is supported by 85 percent of the American people. If hard-working taxpaying families have to live within their means from paycheck to paycheck, then there is no excuse that it has been 25 years since the Federal budget has enjoyed a surplus. The balanced budget amendment is a common sense mechanism that will enforce the necessary budgetary discipline in Congress and I urge support for the Barton amendment.

The CHAIRMAN. All time for general debate has expired.

Mr. HYDE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GEKAS) having assumed the chair, Mr. WALKER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States, had come to no resolution thereon.

COMMUNICATION FROM THE HONORABLE DAN BURTON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DAN BURTON, Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, December 22, 1994.

SPEAKER,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has been served with a subpoena issued by the State of Indiana, Madison Superior Court for the County of Madison, in connection with a civil case involving constituent casework.

After consultation with General Counsel, I have determined that compliance with the subpoena is consistent with the privilege and precedents of the House.

Sincerely,

DAN BURTON,
Member of Congress.

GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 44.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

PREDICTIONS OF DISASTER

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Ms. KAPTUR. Mr. Speaker, the administration claims it knew nothing of the pending financial disaster in Mexico. Mexico's administration claims it knew nothing.

Let me remind both administrations of what they certainly did know. Both the Mexican and the United States Governments knew the truth about the shaky peso and United States speculators' interests down south for at least 2 years before the meltdown. As reported by the Wall Street Journal during the NAFTA debate, the two governments went so far as to negotiate a secret line of credit worth \$6 billion because of the pending financial crisis in Mexico. Both governments knew; both governments kept it quiet.

Now Congress is expected to remain muzzled with truncated committee hearings and limited debate.

Congress cannot remain silent. Let the truth come out before we vote no on this taxpayer bailout of Wall Street speculators in foreign countries.

Mr. Speaker, the Wall Street Journal article to which I referred is as follows:

[From the Wall Street Journal Mar. 28, 1994]

HOW MEXICO'S BEHIND-THE-SCENES TACTICS
AND A SECRET PACT AVERTED MARKET PANIC

(By Craig Torres)

MEXICO CITY.—The muted reaction in Mexican stock and currency markets Friday after the assassination of presidential candidate Luis Donaldo Colosio was no accident—but it also wasn't guaranteed.

A panic developed among investors right after the slaying and could have sent the markets tumbling. But Mexican authorities managed to maintain calm through a once-secret agreement with the U.S. Treasury and a complex mix of moral suasion and vague threats to investors who might have profited from a panic.

This is the story of that effort.

At 9:30 p.m. in Mexico City last Wednesday—2½ hours after the assassination, Jose Angel Gurria, head of the powerful development bank Nacional Financiera, and several of Mexico's most senior financial officials were assembling at 2 Arturo Street, a colonial mansion converted into Finance Ministry offices.

Mr. Gurria and everyone else in the room knew Mr. Colosio was dead, even though the government hadn't yet acknowledged that to the world, knowing the panic that could be created when the news was let out, Mr. Gurria reflected that either Mexico was about to prove the strength of its financial team, or the markets would send Mexico into chaos.

"It was like Colosio's body was lying on the table" in front of the group, he says. "We knew we had a job to do."

Mexican financial markets were already fragile. Economic growth in 1993 registered a pathetic 0.4%. The Chiapas peasant revolt, the kidnapping of a well-known executive and surprising rifts within the ruling party

had all raised questions about social stability. Stocks had tumbled in recent weeks, and the peso was down 8.1% against the dollar this year.

As calls poured into the Finance Ministry and Banco de Mexico, the central bank, it became clear that there could be a full-fledged run against the peso.

Speculators were looking for ways to sell the peso short, a bet on its decline. Mexican banks, while friendlier to the government than foreign investors, would clearly dump pesos to protect themselves and make a profit, if they had to. In addition, the Finance Ministry knew that Japanese banks and corporations had already been unloading huge positions in peso securities to raise cash and dress up year-end financial statements. A currency crisis could spark further huge sales by the Japanese.

However, Hacienda, as the Finance Ministry is known, had a secret weapon.

Just before the North American Free Trade Agreement debate between Ross Perot and Vice President Al Gore, Hacienda's undersecretary of finance, Guillermo Ortiz, had quietly negotiated a \$6 billion swap line with the U.S. Treasury. The idea was to give the Mexican central bank more dollars to use to support the value of the peso if Nafta failed to win approval. But the agreement—which had remained secret because it was never formally signed—was still around, and Mr. Ortiz hoped to invoke it now—Announcing the agreement would give Mexican authorities a crucial psychological boost with investors by showing that anyone attacking the peso would have to take on both Mexico and the U.S.

But it might take a day to get all the approvals from the U.S. government. Could the Mexican markets be shut down? Mr. Ortiz wondered.

By 11 p.m., with international investors nervous, and European markets about to open, Mexican financial officials were in discussions about shutting trading in stocks and the currency for a day, to let things settle down. But a full-scale argument broke out about the kind of signal the closings would show. The meeting split up into working groups and took until 2 a.m. to decide that at least the currency markets and the banks should be closed. Pedro Aspe, the finance minister, and Miguel Mancera, the central bank head, then left for President Carlos Salinas's offices.

With at least some decisions made, officials called Roberto Hernandez, the chief executive of Banamex-Accival, Mexico's largest bank, informing him of the bank and currency-market closure. The Hacienda officials said the banks would certainly be free to trade Friday—but they also warned that Hacienda would be watching closely for any speculative challenge.

At 3:30 a.m. in Boston, Robert Citrone, manager of Fidelity Investment Management's New Markets Income Fund, was back in the firm's warren-like offices. A few hours earlier he had stepped off the train in Acton, Mass., greeting his wife and newborn son.

"I have bad news," his wife had said.

The garage flooded with snow-melt again, Mr. Citrone thought. Then his wife told him Mr. Colosio had been shot.

At home through the evening, Mr. Citrone phoned central-bank contacts or anyone else who could give him a reading on the situation. A Mexican central-bank official at one point convinced him that it had enough currency reserves to defend the peso. That was true, but what if other investors panicked? Brokers were already talking about a 300-point decline in Mexican stocks, and that would also mean the currency would be in trouble.

At 4 a.m., Finance Minister Aspe returned to Arturo Street with an answer from President Salinas: Thursday would be a day of mourning for Mr. Colosio. Banks and currency markets would close.

Now it was time to bring out the secret weapon, the \$6 billion swap agreement. Mr. Ortiz, the undersecretary of finance, picked up the phone and dialed the home in Washington of Lawrence Summers, the undersecretary of international affairs for the Treasury. Mr. Summers thought he could secure the swap line.

The hope was to close the Mexican stock exchange, too, but Bolsa authorities wanted to make sure that there wouldn't be any trading of Mexican shares in New York, either. Mr. Summers said he would see if that could be done.

Later, Mr. Ortiz learned that Treasury had asked for a closure of Mexican stocks, but the U.S. Securities and Exchange Commission and the New York Stock Exchange were resisting the idea. It looked like the U.S. markets would open Mexican shares after only a short delay.

But trading of Mexican stocks in London was turning out to be disorderly, a sign of panic. Shares in bellwether Telefonos de Mexico were down more than 5 percent.

The Arturo Street team turned to Carlos Mendoza, a young Stanford Business School graduate who runs National Financiera's \$1.5 billion Mexican stock fund. Mr. Mendoza had won the respect of international traders late last year when he managed to sell \$1 billion of Telmex shares into the markets without anyone's noticing. Sleepless and worried, Mr. Mendoza called Mexican brokers in London, encouraging them to keep markets orderly. To keep things under control, while still not committing much of National Financiera's money, he gave the London trades an indication where he might buy or sell Telmex shares. That hint tightened the spread, or difference between the buying and selling price.

Less than an hour before the New York opening, Telmex shares had recovered.

With the Arturo Street meetings finally over as the sun was coming up in Mexico City, the finance officials began trying to win back investor confidence by calling everyone they could think of around the world from traders to chief executives. Judging by the calls, international investors were still scared. But the Mexicans began winning them back, one at a time.

"The performance was magnificent," says a Trust Co. of the West portfolio manager. "Almost every investment bank and every investor in the U.S. was on the phones from 8 to 9 in the morning and had it all laid out for them by the Mexicans."

By Thursday afternoon, the tide had turned. Stories burst across the news wires announcing the "new" \$6 billion swap agreement, approved by President Clinton. Also, in a rare example of quick agreement, President Salinas had managed to gather government, business and labor leaders to announce a re-signing of the country's basic economic pact.

Telmex shares finished just 5.6% lower on the Big Board, and they rebounded Friday once the Mexican Bolsa reopened. Investor confidence had been restored.

"The whole world was grading our ability to manage the unexpected," Mr. Curria says. "Everybody at the Arturo Street meetings said, We have to make this work because we have to make Mexico work."

CONGRESS NEEDS TO CAREFULLY CONSIDER CONSEQUENCES TO NATIONAL SECURITY ON ENACTMENT OF BALANCED BUDGET AMENDMENT

(Mr. DICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DICKS. Mr. Speaker, a few days ago the comptroller of the Department of Defense testified before the Committee on the Budget about the consequences of a balanced budget amendment on our country's national security. Let me tell the Members what he said.

He said:

This is one of the major reasons for the administration's opposition to the Balanced Budget Amendment. Unless legislatively exempted from reductions, defense spending could end up being the primary bill-payer to make Federal budgets balance. That would fundamentally undermine the security of our Nation. If the Balanced Budget Amendment were adopted, America's defense posture would be vulnerable to two different problems: the impact on defense to reach a zero deficit, and the effect on defense of the annual budget process under the budget amendment.

Depending on the final provisions of the Balanced Budget Amendment, Department of Defense budget cuts from FY 1996 to FY 2002 could range from \$110 billion to \$520 billion, or about 30 cents on the dollar. For national defense the best case scenario would have a serious effect on national security. The worst case would be a disaster.

I hope we will take a careful look to the consequences of our national security of a balanced budget amendment.

Mr. Speaker, I include for the RECORD the complete statement of Under Secretary of Defense John Hamre before the Committee on the Judiciary:

STATEMENT OF UNDER SECRETARY OF DEFENSE (COMPTROLLER) JOHN J. HAMRE

Mr. Chairman, members of the Committee, thank you for the opportunity to appear before you today to discuss the Balanced Budget Amendment, and the likely impact that it would have on America's defense posture.

The Balanced Budget Amendment (BBA) could severely jeopardize America's national security, and that is one of the major reasons for the Administration's opposition to it. Unless legislatively exempted from reductions, defense spending could end up being the primary billpayer to make federal budgets balance, and that would fundamentally undermine the security of our nation.

If the Balanced Budget Amendment were adopted, America's defense posture would be vulnerable to two different problems: the impact on defense to reach a zero deficit and the effect on defense of the annual budget process under the BBA.

IMPACT ON DEFENSE TO GET TO A ZERO DEFICIT

To illustrate the impact of getting to a zero deficit, several assumptions have to be made about the final date and provisions of the BBA. Let us assume that the year of BBA implementation is 2002, and make calculations based on the most recent deficit projections by the Congressional Budget Office. Balancing the budget on a phased basis—14 percent per year in 1996 through 2002—would require a total of \$1,040 billion in spending cuts and/or revenue increases.

Exactly how much the Department of Defense (DoD) would have to contribute to achieving a zero deficit would depend on how much revenue would be increased and whether entitlements would be cut. Under the worst case scenario, there would be no increase in revenue and no cuts in the entitlement programs. This means the budget would have to be balanced by cuts in discretionary spending, of which national defense represents about one half. The best case scenario assumes half of the deficit would be offset by increases in revenue and the other half proportionately to spending for entitlements and domestic and defense discretionary programs.

Depending on the final provisions of the Balanced Budget Amendment, DoD budget cuts from FY 1996 to FY 2002 could range from \$110 billion to \$520 billion.

For national defense, the best case scenario would have a serious impact on national security. The worst case would be a disaster. Achieving these totals would entail substantial reductions to defense people and programs, which are already downsized to the minimum acceptable level deemed necessary in the Bottom-Up Review. Our forces would become hollow and we would have to give up our quality of life initiatives such as adequate compensation for military personnel, child care programs, decent barracks and family housing and other programs that provide a sense of community and support for military families. We would have to stop the modernization and recapitalization, which is needed and planned in our current five-year budget. We would have to cut back our emphasis on science and technology and technology reinvestment programs, and thereby risk the technological edge that has always given our forces an advantage over our adversaries.

Reductions such as these would fundamentally change the character of America's military posture, make our new strategy unsupportable, call into question our ability to fulfill U.S. commitments to our allies and to protect our interests worldwide, and undermine America's global leadership.

THE ANNUAL BUDGET PROCESS UNDER THE BBA

Let me now turn to the second problem: Life under a balanced budget amendment.

What about the affect on defense of the annual budget process under the Balanced Budget Amendment? The BBA annual budget process could routinely end up removing from our elected political leaders the decision about what level of defense spending is prudent. America's defense preparedness could get determined by economic shifts, cost growth in entitlements, and other non-defense factors. Even if threats to America's global interests were increasing or our forces deteriorating, the BBA could lead to deep defense cuts.

The fact that these consequences could be avoided with 3/5 approval of each house of Congress is scant reassurance. Preservation of an adequate defense posture would become dependent on exceptional political efforts. The BBA process would be heavily skewed in favor of cutting defense to compensate for whatever was escalating elsewhere in the budget. Even when a 3/5 majority minus one in either house believed that BBA cuts were unjustified, the minority view would prevail. Not exactly ideal for the world's most powerful democracy and best hope for future peace and stability.

The BBA would threaten frequent interruptions to the many long-term processes that are essential to maintaining a prudent defense posture. The quality and morale of our people must be continually nurtured, and would be devastated by rapid and deep

cuts in end strength. Our military and civilian professionals require extensive training and experience. We cannot recruit and retain top-notch military and civilian professionals, if they are vulnerable to summary dismissal.

Repair parts must be ordered three years ahead of anticipated use, in order to ensure the readiness of U.S. forces. Many years of research and development are needed to ensure that our forces are never outgunned or outmaneuvered. The average major weapons procurement program requires 8 years of development and testing. Production lines are necessarily set up anticipating stable procurement rates; they cannot be stopped and started, in order to offset a downturn in revenues or surge in entitlements. Because of the long-lead times needed for our weapons systems, DoD is unique among executive departments in that we must have detailed five-year plans incorporating them. It would be extremely costly, and essentially unworkable, to turn on and off defense programs, when the BBA forced deep budget cuts.

In sum, budgeting under BBA would inject great uncertainty and chaos into defense planning, which needs to have stability and a long-term perspective.

Small changes in the U.S. economy would mean even bigger budget problems. Using the CBO rule of thumb, a one percent rise per year in interest rates would increase the federal budget deficit \$5 billion in the first year and \$108 billion over five years. A one percent fall per year in real growth in the economy would increase the deficit \$9 billion in the first year and \$289 billion over five years. Thus under the BBA, even modest changes in the economy could trigger sweeping cuts to federal programs.

CLOSING

The Balanced Budget Amendment addresses a very important issue, but it would dramatically complicate our ability to plan for and manage a strong Department of Defense.

Defense programs would be especially vulnerable under the BBA, because DoD accounts for about half of all discretionary spending. And that is critical because the BBA had no implementation details. Unless the BBA becomes a vehicle by which revenues are increased or entitlements cut, DoD could well have to pay for half of every dollar of deficit reduction.

DoD budget authority, in real terms, has been in decline since FY 1985. We have finally reached the end of our build-down. It would be dangerous to continue to downsize our forces at this time. The Balanced Budget Amendment would cut defense spending to whatever level its arbitrary formula dictated, and thereby displace the carefully considered judgments of Members of Congress, Presidents, and civilian and military leaders as to what spending is necessary and wise. I do not believe such an approach to questions of national security would serve America well.

IMPACT ON DEFENSE TO GET TO A ZERO DEFICIT

In order to assess the impact on DOD, assumptions have to be made about final date and provisions of the Balanced Budget Amendment:

Assumption	
Year of Implementation	2002.
Projected deficit at implementation	Current budget projection.
Will revenue be increased?	If yes, 50%/50% revenue/spending.
Will entitlements be cut?	If yes, in proportion to outlays.

SMALL ECONOMIC CHANGES MEAN BIG BUDGET PROBLEMS

Modest changes in the economy would necessitate sweeping program cuts.

CBO RULE OF THUMB

	Deficit impact	
	First year	5-years
1% rise in interest rates	\$5B	\$108B
1% fall in real growth	9B	289B

A GLOOMY PICTURE WITHOUT THE BALANCED BUDGET AMENDMENT

(Mr. DUNCAN asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN. Madam Speaker, former Senator Paul Tsongas wrote in the Christian Science Monitor a few months ago these very important words:

If you think sending a chunk of your hard-earned income to the Internal Revenue Service was tough this year, imagine the responses of future taxpayers who will face average lifetime tax rates of an incredible 82 percent.

Confronted with the burdens of a monstrous national debt, an aging population, and runaway federal entitlement programs, tomorrow's Americans will be turned into a generation of indentured servants. They won't stand for it. Without action today, we are likely to see generational political wars by the end of the decade.

We need to heed those words of former Senator Tsongas. That is why we need a balanced budget amendment. That is what this is all about. It is to give our children and grandchildren some hope for a good standard of living and for an economic future as bright as ours has been.

Madam Speaker, I am including at this point in the RECORD the complete article by former Senator Paul Tsongas, as follows:

[From the Christian Science Monitor]

JUST WHEN YOU THOUGHT THE DEFICIT WAS UNDER CONTROL—THE FINE PRINT IN CLINTON'S BUDGET PAINTS A GLOOMY PICTURE

(By Paul Tsongas and Jonathan Karl)

If you think sending a chunk of your hard-earned income to the Internal Revenue Service was tough this year, imagine the responses of future taxpayers who will face average lifetime tax rates of an incredible 82 percent.

Confronted with the burdens of a monstrous national debt, an aging population, and runaway federal entitlement programs, tomorrow's Americans will be turned into a generation of indentured servants. They won't stand for it. Without action today, we are likely to see generational political wars by the end of the decade.

It's a mess created by bipartisan fiscal irresponsibility in Washington. And far from addressing the problem, the politicians are insinuating the deficit is "last year's issue."

The bad news can be found buried deep within President Clinton's 2,000-page, four-volume budget for 1995, which was recently passed by Congress.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. BROWNBACK] is recognized for 5 minutes.

[Mr. BROWNBACK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

VOTE FOR THE BARTON VERSION OF THE BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. GRAHAM] is recognized for 5 minutes.

Mr. GRAHAM. Mr. Speaker, last November the people of the 3rd District of South Carolina sent me to Washington in hopes of changing the direction of the country. My constituents expect me to display courage in making tough decisions. I will not let them down. I will vote for the balanced budget amendment, the Barton version, with a tax limitation provision. Now I am going to put my speech up.

There has been a lot of talk tonight about what the consequences of a balanced budget would mean to different groups in this country. There is one thing I think we have in common, whether you are young or old, black or white, rich or poor. If we don't do it, it is a bad deal for everybody.

The thing that I think has been overlooked that I would like to comment on for a minute or two is what does it mean when you are \$4.5 trillion-plus in debt? The honest answer is I cannot even imagine that money in real terms. The real serious consequences of spending that much money more than you have is that over time you ruin the character of your people. Over time, everybody in the country begins to look to the Federal Government to solve every problem they have.

I am 39 years of age, and I would say that my generation always looks outward instead of inward; that there is somebody to blame, there is some Federal program, some State program, to make it right.

When you can be everything to everybody, in my opinion, eventually you will ruin everybody. The only way I know to change things, after a lot of thought and a lot of debate and a lot of reasoning, is to change the Constitution. Whether you are Republican or Democrat, I do not trust you enough to come sit in this body and spend money without a bad check law. And that is called the constitutional balanced budget amendment.

Whether you are a Republican or Democrat, I don't trust you enough to come into this body and balance the

budget without raising taxes to do it. That is way I will vote for the three-fifths provision requiring a supermajority not to raise taxes.

There is a lot at stake in this debate, and to me the real issue is: Are we going to try to be everything to everybody and ruin the next generation not yet born? Everybody talks about putting them in debt, but are we requesting to create a society where they look always outward and never inward?

There is a lot at stake, and I can't tell you exactly how we are going to balance the budget. I don't have a plan that, as some people from the Democrat Party will point out, that tells you exactly how we are going to get there. I just know we must. I know there are a lot of people in this building working on those plans, and I want to give them a shot. The consequences of not doing it is to continue to have a debt that goes beyond imagination.

I hope we will have the courage to say no to ourselves by a constitutional balanced budget amendment, and I hope we have the courage to cut spending and say no to a lot of people who have never been said no to by the Federal Government. If we don't start now, when will we start?

We are about to go into the 21st century, and I think the character of the American people has changed in the last 20 or 30 years, in many ways for the worse. And if you want to look at the reasons why, I think you can start here at the Federal Government. We have taken every function of our lives and centralized it in Washington, DC. If you want to change this country, change the way you spend money in this country.

Anybody have any questions?

I can't think of anything more important to talk about, and I am tired of talking about it. I have been here about 10 days now. I am a freshman in this body. I know why I got elected. I feel very frustrated not being able to get on with it.

□ 2000

I know Members on the other side and within my party have differences, and I respect their differences. I want them to have a chance to say what is on their mind and to advocate their side, but more than anything else, I want us to start voting in this body.

President Clinton made a speech last night, some of its sounded really good. I have heard a lot of great speeches in my small term of politics. Maybe I made a few that sounded pretty good. I am tired of you having to rely on what LINDSEY GRAHAM says, or Bill Clinton or anybody else in this body. I want us to vote and I want us to take tough votes.

The only hope we have of, in my opinion, changing this country is to take the balanced budget amendment that the gentleman from Texas [Mr. BARTON] has proposed with the tax limitation bill provision in it, get it out of the Committee of the Whole and make

us take tough votes and see who really is serious about changing the course of this country.

I will never disagree or take issue with somebody who is voting their conscience. I just expect you to do that. I expect no less of myself.

CONCERNS ABOUT THE PROPOSED MEXICAN BAILOUT

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from Michigan [Mr. STUPAK] is recognized for 5 minutes.

Mr. STUPAK. Mr. Speaker, I am here tonight to express my concerns about the proposed Mexican bailout.

Proponents of NAFTA suggested that its passage would create jobs in America, promote free-market economics in Mexico, raise living standards in both countries, and encourage Mexico's move toward democracy. Those who thought that NAFTA would be a magical elixir were wrong. NAFTA has not fulfilled its promises because the current political and economic conditions in Mexico make that fulfillment impossible. The same conditions that existed in Mexico when we debated NAFTA exist today. Necessary changes can only happen one way—through the Mexican Government. But Salinas did not do it, and President Zedillo has given no indication that he will be any different from Salinas.

First, this bailout will not save NAFTA. Mexico's problems run far deeper than short-term debt.

Second, this bailout will not help restore international confidence in the Mexican economy.

Third, this bailout will not help Mexico's or our working and middle class.

The direct beneficiaries of this package will be members of the Mexican business and political elite seeking to protect their wealth against further devaluation of the peso.

When the taxpayers of the United States are asked continuously to prop up the Mexican economy—and with continued devaluation of the peso, there is no indication that this will be the last time—they deserve some accountability. While I do not believe this \$40 billion will be the last for Mexico, the way I see it, there is only two ways that this agreement is going to be palatable to the majority of Members.

First, stringent conditions need to be placed on the issuance of such a loan guarantee to ensure prompt repayment—and these conditions must be part of the legislative language. The generosity of the United States has often been our own worst enemy in getting repaid. We have consistently dealt with international debt owed to us through reduction or cancellation—ultimately to the detriment of our taxpayers. There must be guarantees that this loan will be repaid in full and in a timely manner.

Second, American taxpayers must get something genuine and tangible in return for our continued generosity. This can be best accomplished in the areas of law enforcement and environmental protection.

The United States is party to an extradition treaty with Mexico, which provides for extradition of Mexican nationals who cross the border and commit offenses. However, in practice, the Government of Mexico does not extradite its own nationals. According to article 9 of the Extradition Treaty Between the United States and Mexico (31 UST 5059; TIAS No. 9656), signed on May 4, 1978:

Neither Party shall be bound to deliver up its own nationals, by the executive authority of the requested Party shall, if not prevented by the laws of the Party, have the power to deliver them up if, in its discretion, it be deemed proper to do so.

The problem is that Mexico has a habit of not deeming it proper to extradite its citizens who commit crimes here in the United States. While under the treaty, at least four United States citizens have been extradited to Mexico for crimes committed there, no Mexican citizens have been extradited to the United States for crimes committed in this country.

As a member of Chairman CONDIT's Information Justice Subcommittee in the 103d Congress, I was present at a hearing regarding the extradition of one Serapio Rios. On September 14, 1992, Mr. Rios crossed into California, kidnapped and raped a 4¼-year-old girl, and fled back into Mexico to hide behind this so-called extradition treaty. As the distraught mother testified:

It took nine months to get extradition papers processed and served to the Mexican government. We have a treaty with Mexico, but Mexico has never extradited one of its citizens back to the U.S. for trial. My government should press for change.

If this mother were here today, she would say to you, three years later, that the Mexican Government did not find this violent felon extraditable. The Mexican Government knows where Rios is, but they refuse to extradite him, even after the Mexican Government promised a Member of this body in exchange for the Member's NAFTA vote, that Rios would be extradited.

I want to let this mother, and those that have similar stories, know that they are not forgotten. I feel that this proposed bailout presents us with a unique opportunity to press for change.

While it may not be feasible at this time to change the language of the 1978 treaty, President Zedillo needs to get the message that \$40 billion of U.S. cooperation demands reciprocity. The area of extradition is one place where the Mexican Government can show good faith by extraditing Rios and the Mexican perpetrators who are accused of committing 24 major crimes such as rape and murder, here in the United States, and then flee across the border to Mexico because they know Mexico will not extradite them under the 1978

treaty. There should be no U.S. loan guarantee until Rios and other indicted perpetrators are brought to justice in the United States.

In addition to the question of law enforcement, language protecting our natural resources must be included in the bailout language. NAFTA promotes free trade in resources by limiting the rights of a government to enact measures restricting such trade. Chapter 3 of NAFTA sets out blanket prohibitions against government regulation of natural resource trade. No Government is permitted to regulate or prohibit the flow of natural resources including water.

Specifically, Article 309 of NAFTA reads:

Parties may not adopt or maintain any prohibition or restriction on the importation of any good of another party, or the exportation of any good destined for another country.

There is no clause in NAFTA that exempts water exports from these provisions. Water is subject to the same requirements of goods as other goods described in Article 309. Water is listed as item 22.01 in the NAFTA tariff heading; it states in part:

Including natural waters not containing added sugar or other sweetening matter nor flavored, ice, and snow.

This could mean Great Lakes water. In addition, the national treatment provisions of NAFTA prohibit governments from according foreign investors any less favorable treatment than is provided domestic corporations. This provision could permit foreign corporations to demand the same access to water resources that domestic consumers have.

Several other features of NAFTA could directly influence existing protection against water diversion. Article 302 of NAFTA requires that parties not increase duties on items including resources, or adopt new ones, and Article 315 limits the right of parties to restrict trade through duties, taxes or other changes. All of these articles could be applicable to Great Lakes water. Again if our natural resources are not specifically excluded, they may as well be included.

In the simplest terms, NAFTA articulates rules of trade that will restrict the ability of sovereign governments, and the people who elect them, to regulate the export or diversion of fresh water resources. NAFTA facilitates the trade of water by making it virtually impossible, under a toothless dispute resolution process, to refuse water export proposals.

Is this diversion a legitimate possibility? It certainly is. It is already happening, albeit legally, on a small scale via the Chicago River diversion project and could easily happen on a larger scale.

No grand pipeline or huge engineering project is required to accomplish this. Currently, the Chicago Diversion project diverts 3,200 cubic feet per second to the Midwestern plains but the Army Corps of Engineers has calculated that the Chicago diversion could accommodate 8,700 cubic feet per second if necessary. Over a limited amount of time, such an increase could lower water levels on Lake Michigan-Huron by ½ foot. Should the Government of Mexico lay claim to Great Lakes water, increased diversion through Chicago would take Great Lakes water to the confluence of the Mississippi and Ohio Rivers where it could meet up with engineering projects designed to take it over the border.

Lowered water levels can cause significant problems with drinking water intakes. Lowered water levels could affect hydro-electric power production. Lowered water levels could dramatically affect navigation in the Great Lakes and eventually Hudson Bay. Lowered water levels can damage the valuable coastal wetlands of the Great Lakes basin.

Mexico could increase its demand for fresh water. One in four Mexicans lack access to potable water and 55% of available water is being used for urban, industrial, and agricultural activities. As we see by this proposed bailout, Mexico is not afraid to come to the United States for help when their own policies begin to destroy the fabric of the country. Mexico is ripe to become a net importer of Great Lakes water. Two proposals were born out of the 1960's to accomplish just such a goal: the North American Water and Power Alliance, and the Great Replenishment and Northern Development Canal (the Grand Canal). In fact, the National Geographic magazine, November 1993, cites the real possibility of water diversion.

In putting protection against diversion in the loan guarantee legislation, we are not asking Mexico to do anything that United States State governments haven't already done. Since 1980's, Midwestern leaders have (1) signed a regional Great Lakes Charter—an agreement among Governors of 8 Great Lakes States and Canadian regional premiers to limit diversion, (2) enacted the United States Water Resources Act of 1986 which gives Governors of 8 Great Lakes States a veto over any proposed diversion of Great Lakes water, (3) they rejected a significant proposed increase in the existing Chicago diversion of Great Lakes water in 1988 when the Governor of Illinois proposed increased diversion, etc. Furthermore, the citizens of the Great Lakes region have supported the concept that Great Lakes water must remain in the Great Lakes 80% of the population opposes diversions of water. Great Lakes is one of our region's, and indeed our country's, greatest resources.

Congress should not continue this pattern of giving and giving without a hint of reciprocity from a Mexican Government that continues to artificially depress wages, that allows its banks to stack debt on borrowers, and that considers our extradition treaty a joke. This bailout, like NAFTA, is an opportunity to force change, but we must make the most of this opportunity. I call on my colleagues to demand change in Mexico. This bailout needs to be tied, inextricably to this change. I want to see some good faith moves on the part of the Mexican Government, or I intend to bail out on the bailout.

NFIB, SMALL BUSINESS AGENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS. Mr. Speaker, I take the floor here during special orders to bring to the attention of my colleagues a very important little pamphlet entitled "NFIB, Small Business Agenda." NFIB, of course, standing for the National Federation of Independent Businesses, which is the largest nationwide small business advocacy organization

in the country, with over 600,000 members.

The NFIB, of course, with the transformation of the Congress and the ascendancy of the Republican Party and our opportunity to be in the majority and prove to our fellow Americans that we have the ability to govern and that we will, in fact, follow through on our commitments as expressed in the contract to perform and reform the way Washington does business, the NFIB has become a very important part, an integral part of our legislative efforts in Washington.

I just wanted to bring that to my colleagues, because I will take time on future occasions under special orders to go into more detail on each one of these points.

But I do want to stress to my colleagues the legislative priorities of the National Federation of Independent Businesses, as we proceed with the Contract with America for the first 100 days, and then as we develop and deliberate a legislative agenda for the second and third 100 days.

The pamphlet starts out by saying, "America's small business owners have heard enough talk about what is good for the country. Now they want results. And small business owners believe that what is good for Main Street will be good for America."

And that really is the fundamental purpose and mission of the NFIB. They represent Main Street, not Wall Street.

They represent the kind of mom and pop businesses and the small business owners who in fact really are the economic backbone of the communities that we are fortunate enough to represent here in the Congress.

As we know, small business owners last year said no to mandated health insurance. They played a very critical role in helping to defeat President Clinton's health care plan. They rose up from the grass roots and sent a message to Congress that mandates cost jobs. And as a result, they helped us stop the President's health care mandates dead in its tracks.

Again in November, small business owners rallied at the polls, and they turned out politicians who had supported anti-Main Street legislation—that is, in fact, one reason I am again serving in this body—and elected candidates who know the importance of small business to the American economy.

□ 2010

Small business owners sent the message that they want the security to pursue the American dream of entrepreneurship. Let me touch on that point for a moment, because I think that underscores how wrong things have become in America, because in the course of the election campaign I recall meeting with a small business owner, an expert machinist who employed about somewhere in the neighborhood of 6 or 7 people, which frankly

is the average size of the American small business.

He told me on that occasion, he said, "You know, Frank, things have really gone awry in this country, because for the first time in our history, the risks of owning your own small business actually outweigh the rewards." Again, small business ownership is a part of the American dream.

I think we need to change that equation, and when we do, we will know that our economy is moving in the right direction again. If we want to help grow our small businesses—and by the way, study after study has indicated that small and very small businesses give us most of our new job creation in the private sector—if we want to grow these type of businesses and create new jobs, then we need to support five actions:

One, we need a regulatory revolution here in Washington; two, we have to cut and simplify taxes, particularly on entrepreneurs and small business owners, the people who are taking the financial risks to create the jobs and to provide their fellow Americans with economic opportunity; three, we have to make health care available and affordable to small businesses; four, we have to end the legal nightmares and reduce and hopefully, to the extent possible, eliminate the regulatory maze that small business owners have to navigate.

Lastly, a very important subject that we are debating on this floor today, tonight, and tomorrow, we have to force the government to stop spending more of our tax dollars than it takes in. This, Mr. Speaker, is the small business agenda, and it dovetails very nicely, of course, with our Contract With America, which goes to the heart of the concerns of small business men and women across this country.

Mr. Speaker, I commend this little pamphlet, which again I will be talking about on future occasions under Special Orders, to your consideration: the NFIB Small Business Agenda.

THE REFORM OF AMERICA'S WELFARE AND HUNGER PROGRAMS

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I rise in this hiatus in the debate for the Balanced Budget Amendment and the unfunded mandates to discuss something that I think is most appropriate. That is the reform of the welfare programs and the hunger programs in our Nation.

Mr. Speaker, I certainly do not rise to say that the current system is perfect. There is a lot of need for improvement and reform. However, the question is, if we look at the Republican Contract for America and we look at their provisions regarding welfare reform and hunger programs, I am afraid

that in a rush to enact that contract, that the Republican leadership has targeted a powerless, pretty much nonvoting population: America's hunger, their children, their families.

What they are proposing is not a solution to hunger and poverty, or a better way to do it, but block grants that may ultimately expand hunger problems in America, and in fact shift costs to the States. This is not reform, this is denial. This is shifting responsibilities from the Federal Government to the State government, something I thought we were going to stop doing around here.

I challenge our new leadership to end hunger and poverty, not the programs that feed hungry families and their children. Republicans are passing the burden of responsibility and the price tag to the States. My State alone, Oregon, under their proposal would be handed the programs for poverty and hunger, currently federally assisted programs, with \$64 million less than in 1996 to solve the problem. How is that going to help the State of Oregon?

However, the Republicans have a solution for that, too. Their unfunded mandates legislation has an effective date of next October. You know why the effective date is next October? Because they know they have hidden bombs in the Contract for America, huge new unfunded mandates for the States, cuts in successful State programs.

However, they don't want to apply the unfunded mandates legislation before or during the adoption of the Contract on America, particularly those provisions that go to welfare and hunger, because they know this is their intention, to shift costs to the States, not to look at a way of improving these programs so we can better combat this problem.

In a nation number one in the industrialized nations in defense spending, national wealth, and the number of billionaires, I think it is a pretty sad commentary on our priorities that we are also number one in child and elderly poverty and hunger.

Many of our anti-hunger programs were enacted in the 1960's and 1970's in response to a documented wide range of problems of malnutrition. These programs have in good part worked. We have decreased the incidence of infant mortality and low birth weight babies. We have improved necessary nutrition food intake, both for our children and elderly, by 20 to 40 percent.

Mr. Chairman, if we want to take, say, the hardest-hearted green eyeshade view of this issue, there is another way to look at it. These programs save the American taxpayers money. They not only improve the quality of life for the next generation, but they save money. Every dollar that is invested in the WIC program saves up to \$4 in Medicaid savings, and a whole lot of other funds for the States in terms of special education programs

and other things that would be necessary if we were dealing with a new epidemic of low birth weight babies.

If we are really talking about investments that make sense, if we are talking about reforms that make sense, then we should be putting more money into this program, not less. However, that is not in the contract.

We often have these academic debates around here, and it sometimes helps to put a little bit of a face on it. My background is in gerontology. I have worked with senior citizens. I have seen seniors—people who have given their whole lives, raised a couple of generations, their kids, their grandkids, and worked and worked and worked, and are living on a small Social Security—I have seen them cry when I brought them a hot meal, because it was the only hot meal that they had had in days.

Are we going to end these programs? Are we going to turn back the clock? The Contract would, or it will say, "Well, we are going to give a block grant to the States, but we are going to cut the funding." How are the States going to pick up that additional burden? If the Contract is honest, then the Contract will adopt the unfunded mandates legislation tomorrow so we know what costs we are shifting to the States next year.

NEW REFORMS BRING BADLY NEEDED DISCIPLINE TO GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. LOBIONDO] is recognized for 5 minutes.

Mr. LOBIONDO. Mr. Speaker, we joined together just a few short weeks ago in an initial gift, really, I think, to the citizens of this country by in a bipartisan way coming together to vote on the Congressional Accountability Act. I believe that that can set the stage for the endeavor that we are now embarking on, which would allow us to give another gift to the American people, that of a balanced budget amendment.

Mr. Speaker, my district, the southern part of New Jersey, is rural and agricultural. We have many small businesses. I try to get around to the fire halls, the church halls, for the barbecues, for the breakfasts, to listen to people, to look in their eyes, and to be able to hear what their concerns are.

What they have told me is that they do not understand why Congress does not live in the real world the way they do. They tell me that they live with a balanced budget amendment of their own. They cannot spend more than they take in, not for very long, whether they are individuals or whether they are businesses. They have to live with that discipline.

I come from a small business background. I know what it is like to be able to put that dynamic together, that dynamic that seems to be missing from Government, something that is

obvious, I think, to all of us in this body and to all of America, that we desperately need: We desperately need that discipline.

Now, finally, or once again, I should say, we have an opportunity. We have a great opportunity to be able to give that gift to the American people.

I have a little bit of background as a State legislator from the great State of New Jersey. We live with a balanced budget in the State of New Jersey and it works.

□ 2020

Yes, very often there are some tough decisions that have to be made. There are some tough choices. But that is what life is all about. And America has to make some tough choices. But I think this choice is relatively simple, and I would like to see us join together in a bipartisan fashion to be able to present this to the American people, something I believe they feel is long overdue that would bring Congress back into the real world that they live in.

MAINTAINING EFFECTIVE NUTRITION PROGRAMS IN FACE OF WELFARE REFORM

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 5 minutes.

Mr. DE LA GARZA. Mr. Speaker, as we begin the debate on welfare reform, let their be no mistake that the Democrats on the Committee on Agriculture welcome the opportunity to further reform the Food Stamp Program and the commodity distribution programs.

Those of us who have worked with these programs labored long and hard to make needed changes, but are well aware that there are areas where they can be further improved, as with any other good program. They can be made more responsive to the needs of poor people by encouraging them to attain self-sufficiency, and they can be made more efficient for the States that administer them. This is not to say that we haven't tried. We have.

But our challenge now is to make sure that in making these reforms we do not throw out the baby with the bathwater.

These are complex, well-intentioned, and largely successful programs. The Federal nutrition programs have reduced hunger in this country dramatically and improved the nutritional quality of the diets of poor families. We should not lose sight of that fact by rushing to pass legislation that could threaten the good work of these programs.

STATE CONCERNS

Two aspects of the nutrition block grant proposed in H.R. 4 could seriously threaten the effectiveness of our nutrition programs. First, all but eight States will be given less money in fiscal year 1996 under the block grant pro-

posal than they would receive under current law, and all States would eventually be given less money in the long run. For example, Texas would lose over \$1 billion, which would result in either a reduction in benefits or a denial of benefits to many needy families.

Second, the major nutrition programs, food stamps, school lunch, and school breakfast would no longer be entitlement programs. There would be a cap on the annual appropriations for the block grant. The cap would be adjusted each year for changes in population and food prices, but not for changes in unemployment or poverty. Congress could appropriate less, but not more than the cap.

That means that if there is an increase in poverty due to a recession, States will be unable to expand their nutrition programs to meet the increased need for nutrition benefits. It also means that every year States will need to fight at the Appropriations Committees for scarce funding for their nutrition programs.

AGRICULTURAL CONCERNS

Not only could the nutrition block grant have an adverse impact on the States, but it could also mean that less money is available to support food purchases and agricultural incomes.

Studies have shown that retail food spending might decrease when the same level of assistance is provided in cash instead of in food stamps. USDA estimates that there could be a reduction in retail food sales of between \$4.25 billion to \$10.5 billion. This decrease will result in reduced earnings of food manufacturing and distribution firms. And agricultural producers would, therefore, suffer decreases in farm income. For livestock, vegetables, and fruit producers alone, farm income could drop by as much as \$1 to \$2 billion.

In the short run, implementation of the block grant could result in a loss of 126,000 to 138,000 jobs, and rural areas would suffer the most because of their heavy dependence on the agriculture sector. In the short run, rural areas would lose twice as many jobs as metropolitan communities.

Under the block grant, almost all authorities for USDA to purchase and distribute food commodities to schools and other outlets, like TEFAP, would be eliminated. Although the proposal would add new authority for USDA to sell food commodities to States for food aid purposes, it is not clear how the Department would acquire the non-price-support commodities in the first place. The proposal would, therefore, make it impossible for USDA to stabilize markets for non-price-support commodities in times of surplus production.

Commodity distribution programs that now serve a dual purpose of supporting commodities in times of overproduction and providing those commodities to nutrition programs would no longer be available.

RECIPIENT CONCERNS

Finally, and most important, the nutrition block grant proposal could result in an increase in hunger in America. Fifty-two percent of food stamp recipients are children. Approximately \$9 of every \$10 spent for food stamp benefits—89 percent—are provided to households with children, elderly, or disabled people. Families with children receive 82 percent of food stamp benefits. Thirteen million children receive food stamps in an average month.

If States choose to handle the reduced funding levels by restricting eligibility to nutrition programs, 6 million food stamp recipients, most of them children, will no longer be eligible for nutrition benefits in fiscal year 1996. I don't believe that the American people intend for welfare reform to increase hunger among our children.

All welfare reform proposals should be analyzed on the basis of how well they will support and encourage people to attain self-sufficiency, and not simply on how much money they save. They must be analyzed on how they will affect our children, who are our future. Simply reducing funding, and eliminating the entitlement status of our nutrition programs, does not result in effective welfare reform. We all want welfare reform, but we must be concerned not just with the short-term impact, the present impact, but also with the future impact. I urge my colleagues to move carefully and thoughtfully on welfare reform.

Mr. Speaker, as long as we have the human element involved, there will be fraud and abuse; our challenge is to minimize it. But, my friends, a block grant is not going to cure this. Let us not deceive ourselves on this, it might even make it worse, for there will be no uniformity. So, again, I urge my colleagues to move carefully and thoughtfully to achieve the end result. We cannot, we must not, gamble with such a precious commodity as our children.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. BLILEY] is recognized for 5 minutes.

[Mr. BLILEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IN DEFENSE OF NUTRITION PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, in a rush to cut governmental spending, the Republicans seem intent not to look at whether or not programs are effective, whether or not programs have been successful, but simply to cut and to block-grant those programs so that they can realize the savings that they want to pay for the other things that they wish to do, whether it is an increase in the defense spending or to provide tax cuts to the very wealthy of this country.

Unfortunately, the programs caught up in that whirlwind happen to be the nutrition programs. These are among

some of the most successful programs in the history of this Government and the history of this Nation. These are the programs that have lifted our elderly out of desperate situations when they did not have enough income to feed themselves, have dramatically reduced the incidence of low-birth-weight and very-low-birth-weight children to pregnant women, to families, to prevent them from suffering the setback and the disappointment and the heart-break of birth defects of a critically ill child at the moment of birth, and at the same time to alleviate the taxpayers and others of the cost of the thousands of dollars a day it takes to bring a very-low-birth-weight child up to normal weight and the efforts so that they can take that child home.

These are the programs that have allowed our senior citizens to live in their own home. One of the leading causes of people being put into nursing homes is that they can no longer cook for themselves. So we used a program called Meals on Wheels. I have delivered the meals, my wife has delivered the meals, our children have delivered the meals to the elderly in our community. That is the reason they can live in a surrounding that they are comfortable with. They can no longer cook, but we can deliver a nutritious meal to those individuals.

What happens when we do that? We reduce the nursing home cost, the health care cost, and the whole Nation benefits, and those people get to live in a surrounding they are comfortable with.

These are the programs that have allowed people to go into their homes and to cook for those individuals so that they could stay in those surroundings.

These are the programs that when people find themselves unemployed, through no fault of their own, they went to work every day, they worked in the steel mills, in the automobile factories, in the insurance companies, at IBM or Xerox, and all of a sudden they had no family income, because of restructuring or downsizing or layoffs or unemployment, whatever the words are that you want to use.

But they had to feed their families. So they were entitled to go over, and to get food stamps to give them help while they were unemployed. Their children might be eligible for a school lunch because they have no family income.

Now we say we are going to cut those programs across the board? We are going to cut those programs across the board for Americans that went to work every day. And they worked hard. They just happened to be so unfortunate that their job was yanked away from underneath them.

I do not think that is the message that America wants to send to its families, but that is what these nutrition programs are about. They are about the prevention of birth defects. They are about letting families have an oppor-

tunity to have healthy babies. They are about our elderly living out the twilight of their life with dignity, and the security of their own surroundings, and not bankrupting their children or themselves because they have to go to a nursing home because there is no one to take care of them in the city in which they now live.

□ 2030

That is what these programs are about. And they are about making sure that there is in fact a safety net for working Americans so that when hard times come they can get some help until they can get the next job.

Twenty percent of the families receiving Food Stamps are working families in this Nation. The go to work every day. They have not lost their job, but they do not make enough to be above the poverty line.

Some of those families are in the U.S. military. They are serving this country. But they do not make enough, so that they are eligible for Food Stamps, and to make ends meet for those military families they go down and they participate in the Food Stamp Program. That may be a shame that that is the situation with the military families in this country but it is a fact. In fact, if we look at these nutrition programs, they are an indictment of this country, for our inability to provide jobs to create wages so people can feed themselves, so that people that find themselves in tough economic straits can get a bridge out, to get temporarily help. But we do not.

We see homeless people on our streets. In 1980 the Reagan administration said it was an emergency and temporary. They said they were there because they wanted to be. And in 1990 they were counted in the census as a permanent part of the American landscape.

That is unacceptable and, the nutrition programs stand between millions of Americans and that fate. And that should be block granted.

Mr. Speaker, the question I put to you today is: Where is the mandate? Who is mandating the repeal and block granting of the Federal nutrition programs?

No one has contacted my office to support a nutrition block grant, and hundreds have written opposing it. Exactly who is asking for the demolition of these programs that have proven so successful in saving the taxpayers' money, preparing our kids to support themselves when they get older, and increasing the health of our seniors?

The Economic and Educational Opportunities Committee had to cancel a hearing this morning on the nutrition block grant because they couldn't get a Republican Governor to testify in support of it. The Governors themselves have serious concerns about the negative impact the block grant will have on our citizens and our country.

Speaker GINGRICH is mandating this block grant to pay for his tax cut for the rich. In order to save a few billion dollars to pay for

the contract's tax cut for the rich, and in complete disregard of the merits of these food assistance programs, the Republicans are risking incurring significant long term Federal, State, and local cost of health care, remedial education, and decreased worker productivity.

Of course, there is room for improvement in the programs—we work on this every year. Congress is constantly working to improve efficiency, decrease paperwork, and end fraud in these programs. Last year the Ed. and Labor Committee reauthorized the School Lunch Act. I worked with Members on both sides of the aisle to add a strict penalty for anticompetitive bid-rigging by food suppliers. Almost every year Mr. DE LA GARZA and the members of the Agriculture Committee have passed legislation to curb fraud in the Food Stamp Program.

These programs are good for the recipients and the taxpayers. The block grant contains no requirement that the food programs States create maintain any uniform nutrition standards. The recommended daily allowances for kids and adults in California is the same as those in New York. Only the ability of the children and their families to pay for that food varies.

The current taxpayer savings the Republicans are putting in jeopardy are:

Every \$1 spent in the WIC program saves between \$2 and \$4 dollars in Federal Medicaid costs.

Every \$1 spent on elderly programs—Meals-on-Wheels and Congregate Meals program—saves \$3 on Federal Medicare, Medicaid, and veteran's health care costs. Malnourished patients stay in the hospital nearly twice as long as those who are well-nourished, costing an additional \$2,000—\$10,000 per stay.

Malnutrition permanently impairs brain development and a child's ability to learn, causing an increase in the number of children failing in school and a significant increase in the local and Federal cost of remedial education.

Nutrition programs significantly decrease anemia in adults as well as children and the elderly. Studies show anemia lowers worker productivity and ability to learn new and emerging fields, hurting our ability to compete in global economy.

In my district, as in all other districts across our country, this block grant means more than a loss in food assistance. In Contra Costa County alone it means almost 400 fewer grocery store jobs, \$6.6 million less in wages, and the closure of over a dozen food stores.

I understand the Republicans want to move quickly in debating their proposed legislation in order to meet their 100 day-deadline. However, if the cost will be measured in taxpayer dollars and human lives, it would be unconscionable of the Republicans not to slow down. Please, talk to your constituents, visit a WIC center, eat a school lunch, and find out why these programs are so popular and successful. You owe at least that to yourself, our children, and our country.

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the

House, the gentlewoman from Arkansas [Mrs. LINCOLN] is recognized for 5 minutes.

[Mrs. LINCOLN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Mrs. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

NUTRITION PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Mrs. THURMAN] is recognized for 5 minutes.

Mrs. THURMAN. Mr. Speaker, If you look closely at the fine print of the Republican welfare reform plan, there is a proposal that threatens the lives of almost 5 million older Americans. This proposal threatens to force our seniors to go hungry. But so far, this issue has gone virtually overlooked in the large-scale national debate over welfare reform.

It is buried deep within the legislative language of the Republican's Contract With America. It is contained under the section that consolidates nutrition programs for the poor. It seeks to eliminate the crucial nutrition section of the 30-year-old Older Americans Act and to lump funding for senior citizen nutrition programs in with all other food programs.

Seniors are at particular risk under the proposal. While the welfare plan does spell out some mandatory minimums each State must spend on nutrition programs, it does not specify any minimum for elderly nutrition.

Therefore, this proposal would allow States to completely wipe out Meals-On-wheels and other vital services. No protection is afforded by the Federal Government.

Pulling senior nutrition out of the Older Americans Act and separating it from other services for the elderly will make it much harder for communities to assist older people with complex needs. None of us want to create a situation where competing interests are vying for their fair share. We cannot allow a situation to develop where the needs of seniors are pitted against the needs of hungry children.

There is no question that our current welfare system is in need of reform. The debate over welfare reform taking place across this country needs to focus on connecting recipients to the workplace. It should deal with personal responsibility and work, not just saving money. We should be guided by principles that help us solve problems, not create new ones.

The Elderly Nutrition Program, as part of the Older Americans Act, is a program that works. They have a proven track record of success.

Before we can appreciate the value of these programs, we need to understand the problems they address and the effectiveness of their results.

Today, many seniors do not eat adequately because they cannot afford to do so. Moreover, they lack the skills to prepare nourishing, well-balanced meals. Because many of these elderly people have limited mobility, it can be difficult to shop and cook for themselves. Also, many seniors experience feelings of loneliness which sometimes hinder their incentive to make a meal and eat it alone.

These and other physiological, social, and economic changes that occur with aging, result in a pattern of living that causes malnutrition and further physical and mental deterioration.

Since 1973, the Nutrition Program for the Elderly has provided older Americans, particularly those with low incomes, nutritionally sound meals. The broad objective of the Nutrition Program for the Elderly is to nourish the whole older person, not simply to supply basic nutrients.

About 3.3 million seniors are served hot meals in strategically located centers such as schools, churches, community centers, and senior citizen centers. Seniors in this program depend on the fruit, milk, meat, and potatoes because it is often their only balanced meal of the day.

Public and private facilities are also used where seniors can obtain other social and rehabilitative services. This encourages older persons to maintain independence by encouraging social interaction, while at the same time improving nutrition. This program is the cornerstone of a comprehensive, community based and managed service system aimed at providing opportunities for older people to remain independent and self-sufficient.

For those who are homebound, meals are delivered and other supportive services are provided, where necessary and feasible. Nationally, more than 794,000 seniors, 49,000 now in my home State of Florida, have meals delivered to their homes. Yet, the program today cannot serve all who need it. If the nutrition program is to be continued as part of a block grant, it is estimated that nearly 20 percent of the seniors now served would no longer receive meals and nutrition services due to reductions in funding.

Besides promoting better health among the elderly through improved nutrition, this program is aimed at reducing the isolation of old age and offering Americans the opportunity to maintain self-sufficiency. The nutrition program is a fundamental part of a comprehensive service system aimed at keeping older people at home, supporting family caregivers, and avoiding unnecessary and costly nursing home care.

These programs are supported through a vast network of volunteers and through cash and in-kind support from local private sector

groups. Finally, these programs have traditionally served those older persons with the greatest economic need. A significant portion of the cost of these programs are borne by the participants themselves. Seniors contributed at least \$171 million last year to the programs based on their ability to pay.

Moreover, these programs are some of the most effective in keeping administration costs extremely low. Much of the administrative costs of these programs are provided by volunteers. The reduction of funding will have an adverse effect on the potential of providers to recruit increased numbers of volunteers. Furthermore, the number of volunteers would be decreased as well, since many senior volunteers are participants in the programs.

This proposal from the Contract With America does not make cost effective sense. The logic of this proposal is faulty on its face. The proposed changes will result in more people going to nursing homes since preventive and supportive services, including meals, will be decreased. Every recipient who receives meals at home is considered frail and generally at risk of nursing home placement.

If this block grant was created, 5,040 home delivered meal recipients would be dropped from the program, these frail seniors would most likely be unable to remain in their homes and would be at high risk of entering a nursing home. This would cost the Federal Government \$86 million per year in Medicaid funds. As opposed to the present cost of \$7.5 million under the Older American Act and related state funded programs for home based care.

Remember, this \$86 million is only for Florida. It is more than 10 times less expensive to keep people in their homes, where they want to be in the first place. Obviously, the results of block granting these programs have not been thought through. It is just another one of the shallow plans Republicans are offering without thinking through the personal or financial consequences. This plan would end up costing us billions of dollars and cutting vital services to the elderly.

Mr. Speaker, the average age of the people in my district makes it the second oldest in the state. I have worked closely with a number of programs in my District that provide these nutrition programs to my constituents. I know from first hand experience how important they are to a great deal of the elderly folks in Florida.

Nutrition studies from the University of Florida have shown that 69 percent of the congregate meal participants were at moderate to high risk for malnutrition. Moreover, 89 percent of the home delivered meal participants were at moderate to high risk for malnutrition.

Mr. Speaker, I have talked to many participants of these nutritional programs and I receive letters like these every day.

Like the one from this 83 year old woman. She has been going to the same site in New Port Richey every day since 1983. Her son brings her every morning and picks her up afterwards. She loves to be around people and feel useful instead of just sitting at home.

She is very healthy and goes to the site to enjoy the camaraderie of other seniors her age. She is very active at the site and is a regular volunteer.

She is grateful to this elderly nutrition program and stated that "the program keeps her young." If this program were based on income eligibility she would not qualify for it.

Or this letter, that comes from a retired pharmacist, from New Port Richey, who lives alone since the death of his wife. Each day, instead of sitting home alone, he comes to the Elderly Nutrition dining site. He looks forward to volunteering at the site and delivering meals to the homebound.

He writes to tell me that if the criteria for eligibility in the Nutrition Program is changed and he is found to be unqualified, it will leave a huge void in his life. He feels that he would become depressed if he had to stay at home "staring at four walls."

He has the means to pay for his meals in a restaurant, but would be unable to find the socialization and companionship that he needs from other seniors there. Due to physical disabilities, he is unable to interact in recreational activities. At the lunch site he finds more appropriate activities to fulfill his needs.

Mr. Speaker, the debate on welfare has been focused on moving people off welfare and into work. The American people do not want to continue an endless entitlement program without requiring any responsibility on the part of the recipients.

What we need to understand, is that the Elderly Nutrition Program is not welfare. Unfortunately, the Nutrition Program for the Elderly got swept along in a big net cast out to reform the welfare system. This is a program that serves very vulnerable seniors. This program does not belong in the debate on connecting recipients to the work place.

The welfare debate is about personal responsibility and work. The Elderly Nutrition Program is about keeping seniors alive and independent. Not a single person has alleged that the program is anything less than a successful program that has improved the nutrition and physical and mental health of millions of seniors in our country.

Mr. Speaker, I urge my fellow members to examine these elderly nutrition programs and recognize the fact that they do not belong in the welfare debate. Including them in a massive block grant, as offered by the Republicans in the Contract With America, would be a massive mistake. It would in the most cruel way, pit one generation against another in the fight for survival.

Last night, President Clinton said that seniors have made us what we are as a nation. He is right. We shouldn't thank them for their sacrifices to the present generation by kicking them out on the street.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. ESHOO] is recognized for 5 minutes.

[Ms. ESHOO addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

THE INDIAN FEDERAL RECOGNITION ADMINISTRATIVE PROCEDURES ACT OF 1995

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I am pleased to join with my good friends, Mr. BILL RICHARDSON, Mr. PAT WILLIAMS, Mr. GEORGE MILLER, and Mr.

PETER DEFAZIO, in introducing the Indian Federal Recognition Administrative Procedures Act of 1995 which will create an efficient and fair procedure for extending federal recognition to certain Indian tribes. Similar legislation was passed by the House of Representatives last Congress but, unfortunately, failed to pass in the Senate by the end of the session.

Mr. Speaker. There remains a great need for redesign of the current process for federally recognizing Indian tribes. For instance, it was not until 1979, 157 years after the establishment of the Bureau of Indian Affairs, that a comprehensive list of Indian tribes was published. It fact, the concept of Federal recognition did not even become a significant legal issue until the 1970s, following two federal appellate court decisions and recommendations of the American Indian Policy Commission.

The current recognition process is very cumbersome, lengthy and, in many cases, ill-suited to factual and fair determinations. Unfortunately, federal regulations are by no means clear regarding the criteria that a tribe seeking federal recognition must satisfy, nor what evidence the BIA must verify. In addition, the current process has led to a backlog of petitions. Since 1978, the BIA has received over 116 new petitions. The BIA has resolved only 25 cases since 1978, nine in favor of recognition, and 13 against recognition. While in the past two months, the BIA has acted on two petitions, in both cases announcing proposed findings of denial, the process remains unwieldy.

Mr. Speaker, in addition, the costs to tribal petitioners of participating in the federal recognition process are prohibitively expensive, averaging between \$300,000 and \$500,000. In addition, the BIA's own system appears to suffer internal conflicts because the same agency individuals who conduct the research into a tribe's history also make the final recognition decision.

Mr. Speaker, this legislation responds to these problems by creating an independent Commission on Indian Recognition, comprised of three individuals. The Commission would receive petitions for recognition. The legislation prescribes procedures for considering petitions, and affords petitioners the right to adjudicative hearings and appeals, and access to federal courts. For instance, the bill would allow petitioning groups to conduct discovery and cross-examine witnesses and evidence in a Commission hearing. More importantly, the bill sets forth more objective, consistent, and streamlined standards for acknowledging groups as federally recognized Indian tribes. By so doing, the legislation greatly enhances the ability of the federal government to more accurately, efficiently, and fairly determine whether or not to extend federal recognition to tribal petitioners.

Mr. Speaker, today I attended a White House meeting with a number of

tribal leaders and officials of non-recognized tribes. The tribal leaders were very adamant about their dissatisfaction with the current recognition process and urged both the Administration and Congress to make wholesale changes in the law. I would like to emphasize that the legislation that I am introducing today is only the starting point for further discussion and debate. I remain open to, and look forward to, the advice and input of my other colleagues, as well as agency and tribal recommendations. I firmly believe that together we can arrive at a fair and workable solution to the problems associated with the federal recognition process.

I urge my colleagues to support this measure.

I include a copy of the bill, as follows:

H.R. 671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Federal Recognition Administrative Procedures Act of 1995".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to establish an administrative procedure to extend Federal recognition to certain Indian groups;

(2) to extend to Indian groups which are determined to be Indian tribes the protection, services, and benefits available from the Federal Government pursuant to the Federal trust responsibility;

(3) to extend to Indian groups which are determined to be Indian tribes the immunities and privileges available to other federally-recognized Indian tribes by virtue of their status as Indian tribes with a government-to-government relationship with the United States;

(4) to ensure that when the Federal government extends acknowledgment to an Indian tribe, it does so with a consistent legal, factual and historical basis;

(5) to establish a commission which will act in a supporting role to petitioning groups applying for recognition;

(6) to provide clear and consistent standards of administrative review of documented petitions for Federal acknowledgment;

(7) to clarify evidentiary standards and expedite the administrative review process by providing adequate resources to process petitions; and

(8) to remove the Federal acknowledgment process from the Bureau of Indian Affairs and invest it in an independent Commission on Indian Recognition.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term "aboriginal group" means any Indian group or tribe that is presently located in Canada or the United States of Mexico and consists of individuals who are descendants of the people who inhabited the area now constituting those two countries prior to their first sustained contact with Euro-Americans.

(2) The term "acknowledgment" or "acknowledged" means a determination by the Commission on Indian Recognition that an Indian group constitutes an Indian tribe with a government-to-government relationship with the United States, and whose members are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

ed States to Indians because of their status as Indians.

(3) The term "autonomous" means the exercise of political influence or authority independent of the control of any other Indian governing entity. Autonomous must be understood in the context of the history, geography, culture and social organization of the petitioner.

(4) The term "Bureau" means the Bureau of Indian Affairs.

(5) The term "Commission" means the Commission on Indian Recognition established pursuant to section 4.

(6) The term "community" means any group of people, living within a reasonable territorial propinquity, which can demonstrate that consistent interactions and significant social relationships exist within its membership and that its members are differentiated from and identified as distinct from nonmembers. "Community" must be understood in the context of the history, culture and social organization of the group, taking into account the geography of the region in which they reside.

(7) The term "continuously" or "continuous" means extending from the first sustained contact with Euro-Americans throughout the group's history to the present substantially without interruption.

(8) The term "Department" means the Department of the Interior.

(9) The term "documented petition" means the detailed, factual exposition and arguments, including all documentary evidence, necessary to demonstrate that these arguments specifically address the mandatory criteria established in section 5.

(10) The term "historically", "historical" or "history" means dating from the first sustained contact with Euro-Americans.

(11) The term "Indian group" or "group" means any Indian, Alaska Native, or Native Hawaiian tribe, band, pueblo, village or community within the United States that the Secretary of the Interior does not acknowledge to be an Indian tribe.

(12) The term "Indian tribe" or "tribe" means any Indian, Alaska Native, or Native Hawaiian tribe, band, pueblo, village or community within the United States that the Secretary of the Interior presently acknowledges to be an Indian tribe.

(13) The term "indigenous" means native to the United States in that at least part of the petitioner's traditional territory at the time of first sustained contact with Euro-Americans extended into what is now the United States.

(14) The term "letter of intent" means an undocumented letter or resolution which is dated and signed by the governing body of an Indian group and submitted to the Commission and indicates the group's intent to submit a petition for Federal acknowledgment as an Indian tribe.

(15) The term "member of an Indian group" means an individual who is recognized by an Indian group as meeting its membership criteria and who consents in writing to being listed as a member of that group.

(16) The term "member of an Indian tribe" means an individual who meets the membership requirements of the tribe as set forth in its governing document or, in the absence of a governing document which sets out these requirements, has been recognized as a member collectively by those persons comprising the tribal governing body; and has consistently maintained tribal relations with the tribe or is listed on the tribal membership rolls as a member, if such rolls are kept.

(17) The term "petition" means a petition for acknowledgment submitted or transferred to the Commission pursuant to section 5 of this Act.

(18) The term "petitioner" means any group which has submitted a letter of intent to the Commission requesting acknowledgment that it is an Indian tribe.

(19) The term "political influence or authority" means a tribal council, leadership, internal process or other mechanism which the group has used as a means of influencing or controlling the behavior of its members in significant respects, or making decisions for the group which substantially affect its members, or representing the group in dealing with non-members in matters of consequence to the group. "Political influence or authority" is to be understood in the context of the history, culture and social organization of the group.

(20) The term "previous Federal acknowledgment" means any action by the Federal government the character of which is clearly premised on identification of a tribal political entity and clearly indicates the recognition of a government-to-government relationship between that entity and the Federal government.

(21) The term "restoration" means the reextension of acknowledgment to any previously acknowledged tribe which may have had its acknowledged status abrogated or diminished by reason of congressional legislation expressly terminating that status.

(22) The term "Secretary" means the Secretary of the Interior.

(23) The term "sustained contact" means the period of earliest sustained Euro-American settlement or governmental presence in the local area in which the tribe or tribes from which the petitioner claims descent was located historically.

(24) The term "treaty" means any treaty—
(A) negotiated and ratified by the United States on or before March 3, 1871, with, or on behalf of, any Indian group or tribe;

(B) made by any government with, or on behalf of, any Indian group or tribe, from which government the United States subsequently acquired territory by purchase, conquest, annexation, or cession; or

(C) negotiated by the United States with, or on behalf of, any Indian group in California, whether or not the treaty was subsequently ratified.

(25) The term "tribal relations" means participation by an individual in a political and social relationship with an Indian tribe.

(26) The term "tribal roll" means a list exclusively of those individuals who have been determined by the tribe to meet the tribe's membership requirements as set forth in its governing document or, in the absence of a governing document setting forth those requirements, have been recognized as members by the tribe's governing body. In either case, those individuals on a tribal roll must have affirmatively demonstrated consent to being listed as members.

(27) The term "United States" means the 48 contiguous states, Alaska and Hawaii; and does not include territories or possessions.

SEC. 4. COMMISSION ON INDIAN RECOGNITION.

(a) ESTABLISHMENT.—There is established, as an independent commission, the Commission on Indian Recognition.

(b) MEMBERSHIP.—(1)(A) The Commission shall consist of three members appointed by the President, by and with the advice and consent of the Senate.

(B) In making appointments to the Commission, the President shall give careful consideration to—

(i) recommendations received from Indian tribes;

(ii) individuals who have a background in Indian law or policy, anthropology, genealogy, or history; and

(iii) individuals who, at the time of nomination, are employed by the United States

Government and would be eligible to participate through the Intergovernmental Personnel Exchange Act.

(2) No more than two members of the Commission may be members of the same political party.

(3)(A) Each member of the Commission shall be appointed for a term of four years, except as provided in subparagraph (B).

(B) As designated by the President at the time of appointment, of the members first appointed—

(i) one shall be appointed for a term of two years;

(ii) one shall be appointed for a term of three years; and

(iii) one shall be appointed for a term of four years.

(4) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

(5)(A) Each member of the Commission not otherwise employed by the United States Government shall receive compensation at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day, including traveltime, such member is engaged in the actual performance of duties authorized by the Commission.

(B) Except as provided in subparagraph (C), a member of the Commission who is otherwise an officer or employee of the United States Government shall serve on the Commission without additional compensation, but such service shall be without interruption or loss of civil service status or privilege.

(C) All members of the Commission shall be reimbursed for travel and per diem in lieu of subsistence expenses during the performance of duties of the Commission while away from home or their regular place of business, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(6) At the time appointments are made under paragraph (1), the President shall designate one of such appointees as Chairman of the Commission.

(c) MEETINGS AND PROCEDURES.—(1) The Commission shall hold its first meeting no later than 30 days after the date on which all members of the Commission have been appointed and confirmed by the Senate.

(2) Two members of the Commission shall constitute a quorum for the transaction of business.

(3) The Commission may adopt such rules (consistent with the provisions of this Act) as may be necessary to establish its procedures and to govern the manner of its operations, organization, and personnel.

(4) The principal office of the Commission shall be in the District of Columbia.

(d) DUTIES.—The Commission shall carry out the duties assigned to the Commission by this Act, and shall meet the requirements imposed on the Commission by this Act.

(e) POWERS AND AUTHORITIES.—(1) Subject to such rules and regulations as may be adopted by the Commission, the Chairman of the Commission is authorized to—

(A) appoint, terminate, and fix the compensation (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision of law, relat-

ing to the number, classification, and General Schedule rates) of an Executive Director of the Commission and of such other personnel as the Chairman deems advisable to assist in the performance of the duties of the Commission, at a rate not to exceed a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code; and

(B) procure, as authorized by section 3109(b) of title 5, United States Code, temporary and intermittent services to the same extent as is authorized by law for agencies in the executive branch, but at rates not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(2) The Commission is authorized to—

(A) hold such hearings and sit and act at such times;

(B) take such testimony;

(C) have such printing and binding done;

(D) enter into such contracts and other arrangements, subject to the availability of funds;

(E) make such expenditures; and

(F) take such other actions,

as the Commission may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(3)(A) The Commission is authorized to secure directly from any officer, department, agency, establishment, or instrumentality of the Federal Government such information as the Commission may require for the purpose of this Act, and each such officer, department, agency, establishment, or instrumentality is authorized and directed to furnish, to the extent permitted by law, such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman of the Commission.

(B) Upon the request of the Chairman of the Commission, the head of any Federal department, agency, or instrumentality is authorized to make any of the facilities and services of such department, agency, or instrumentality available to the Commission and detail any of the personnel of such department, agency, or instrumentality to the Commission, on a nonreimbursable basis, to assist the Commission in carrying out its duties under this section.

(C) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(f) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act shall not apply to the Commission.

SEC. 5. PETITIONS FOR RECOGNITION.

(a) IN GENERAL.—(1) Any Indian group may submit to the Commission a petition requesting that the Commission recognize that the Indian group is an Indian tribe.

(2) The provisions of this Act do not apply to the following groups or entities, which shall not be eligible for recognition under this Act—

(A) Indian tribes, organized bands, pueblos, communities, and Alaska Native entities which are recognized by the Secretary as of the date of enactment of this Act as eligible to receive services from the Bureau;

(B) splinter groups, political factions, communities, or groups of any character which separate from the main body of an Indian tribe that, at the time of such separation, is recognized as being an Indian tribe by the Secretary, unless it can be clearly established that the group, faction, or community has functioned throughout history until the

date of such petition as an autonomous Indian tribal entity;

(C) groups, or successors in interest of groups, that prior to the date of enactment of this Act, have petitioned for and been denied or refused recognition as an Indian tribe under regulations prescribed by the Secretary;

(D) any Indian group whose relationship with the Federal Government was expressly terminated by an Act of Congress; and

(E) any Indian group that, in any action in a United States court to which the group was a party, has previously attempted to establish its status as an Indian tribe or a successor-in-interest to an Indian tribe that was a party to a treaty with the United States, and—

(i) was determined by such court not to be an Indian tribe; or

(ii) was determined by such court not to be a successor-in-interest to an Indian tribe that was a party to a treaty with the United States; or

(iii) was the subject of findings of fact by such court which, if made by the Commission, would show that the group was incapable of establishing one or more of the criteria set forth in this section.

(3)(A) No later than 30 days after the date on which all of the members of the Commission have been appointed and confirmed by the Senate, the Secretary shall transfer to the Commission all petitions pending before the Department and not then under active consideration that request the Secretary, or the Federal Government, to recognize or acknowledge an Indian group as an Indian tribe, except those groups whose petitions are under active consideration at the time of the transfer.

(B) On the date of such transfer, the Secretary and the Department shall cease to have any authority to recognize or acknowledge, on behalf of the Federal government, any Indian group as an Indian tribe, except those groups under active consideration whose petitions have been retained by the Department pursuant to subparagraph (A) of this paragraph.

(C) Petitions transferred to the Commission under subparagraph (A) of this paragraph shall, for purposes of this Act, be considered as having been submitted to the Commission in the same order as they were submitted to the Department.

(b) PETITION FORM AND CONTENT.—Except as provided in subsection (c), any petition submitted under subsection (a) by an Indian group shall be in any readable form which clearly indicates that it is a petition requesting the Commission to recognize that the Indian group is an Indian tribe and which contains detailed, specific evidence as to each of the following:

(1) A statement of facts establishing that the petitioner has been identified as an American Indian entity on a substantially continuous basis since 1871. Evidence that the group's character as an Indian entity has from time to time been denied shall not be considered to be conclusive evidence that this criterion has not been met. Evidence to be relied upon in determining a group's Indian identity may include one or a combination of the following, as well as other evidence of identification by other than the petitioner itself or its members:

(A) Identification of the petitioner as an Indian entity by Federal authorities.

(B) Relationships of the petitioner with State governments based on identification of the petitioner as an Indian entity.

(C) Dealings of the petitioner with a county, parish, or other local government in a relationship based on the Indian identity of the petitioner.

(D) Identification of the petitioner as an Indian entity by records in private or public archives, courthouses, churches, or schools.

(E) Identification of the petitioner as an Indian entity by anthropologists, historians, or other scholars.

(F) Identification of the petitioner as an Indian entity in newspapers, books, or similar media.

(G) Identification of the petitioner as an Indian entity by other Indian tribes or by national, regional, or state Indian organizations.

(H) Identification of the petitioner as an Indian entity by foreign governments or international organizations.

(2)(A) A statement of facts establishing that a predominant portion of the membership of the petitioner comprises a community distinct from those surrounding it and has existed as a community from historical times to the present. Evidence to be relied upon in determining that the petitioner meets this criterion may include one or a combination of the following:

(i) Significant rates of marriage within the group, or, as may be culturally required, patterned out-marriages with other Indian populations.

(ii) Significant social relationships connecting individual members.

(iii) Significant rates of informal social interaction which exist broadly among the members of a group.

(iv) A significant degree of shared or cooperative labor or other economic activity among the membership.

(v) Evidence of strong patterns of discrimination or other social distinctions by non-members.

(vi) Shared sacred or secular ritual activity encompassing most of the group.

(vii) Cultural patterns shared among a significant portion of the group that are different from those of the non-Indian populations with whom it interacts. These patterns must function as more than a symbolic identification of the group as Indian, and may include, but are not limited to, language, kinship or religious organizations, or religious beliefs and practices.

(viii) The persistence of a named, collective Indian identity continuously over a period of more than 50 years, notwithstanding changes in name.

(ix) A demonstration of historical political influence pursuant to the criterion set forth in paragraph (3).

(B) A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided demonstrating any one of the following:

(i) More than 50 percent of the members reside in a particular geographical area exclusively or almost exclusively composed of members of the group, and the balance of the group maintains consistent social interaction with some members of the community.

(ii) At least 50 percent of the marriages of the group are between members of the group.

(iii) At least 50 percent of the group members maintain distinct cultural patterns such as, but not limited to, language, kinship or religious organizations, or religious beliefs or practices.

(iv) There are distinct community social institutions encompassing a substantial portion of the members, such as kinship organizations, formal or informal economic cooperation, or religious organizations. or

(v) The group has met the criterion in paragraph (3) using evidence described in paragraph (3)(B).

(3)(A) A statement of facts establishing that the petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present. Evidence to be relied upon

in determining that the petitioner meets this criterion may include one or a combination of the following:

(i) The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

(ii) Most of the membership considers issues acted upon or taken by group leaders or governing bodies to be of personal importance.

(iii) There is a widespread knowledge, communication and involvement in political processes by most of the group's members.

(iv) The group meets the criterion in paragraph (2) at more than a minimal level.

(v) There are intragroup conflicts which show controversy over valued group goals, properties, policies, processes or decisions.

(B) A petitioner shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders or other mechanisms exist or existed which:

(i) Allocate group resources such as land, residence rights or the like on a consistent basis.

(ii) Settle disputes between members or subgroups such as clans or moieties by mediation or other means on a regular basis.

(iii) Exert strong influence on the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

(iv) Organize or influence economic subsistence activities among the members, including shared or cooperative labor.

(C) A group that has met the requirements in paragraph (2)(B) at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that same point in time.

(4) A copy of the petitioner's present governing document including its membership criteria. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.

(5) A list of all current members of the petitioner including each member's full name (and maiden name, if any), date and place of birth, and current residential address, as well as a copy of each available former list of members based on the petitioner's own defined criteria, and a statement describing the methods used in preparing those lists. The membership must consist of individuals who have established descendancy from an Indian group which existed historically or from historical Indian groups which combined and functioned as a single autonomous entity. Evidence of tribal membership required by the Commission includes (but is not limited to)—

(A) descendancy rolls prepared by the Secretary for the petitioner for purposes of distributing claims money, providing allotments, or other purposes;

(B) State, Federal, or other official records or evidence identifying present members of the petitioner, or ancestors of present members of the petitioner, as being descendants of a historic tribe or historic tribes that combined and functioned as a single autonomous political entity;

(C) church, school, and other similar enrollment records identifying present members or ancestors of present members as being descendants of a historic tribe or historic tribes that combined and functioned as a single autonomous political entity;

(D) affidavits of recognition by tribal elders, leaders, or the tribal governing body identifying present members or ancestors of present members as being descendants of a historic tribe or historic tribes that combined and functioned as a single autonomous political entity; and

(E) other records or evidence identifying present members or ancestors of present members as being descendants of a historic tribe or historic tribes that combined and functioned as a single autonomous political entity.

(c) EXCEPTIONS.—A petition from an Indian group which can demonstrate by a preponderance of the evidence that it was, or is the successor in interest to, a—

(1) party to a treaty or treaties;

(2) group acknowledged by any agency of the Federal Government as eligible to participate in the Indian Reorganization Act of 1934 (25 U.S.C. 461 et seq.);

(3) group for the benefit of which the United States took into trust land or lands, or which the Federal government has treated as having collective rights in tribal lands or funds; or

(4) group has been denominated a tribe by Act of Congress or Executive Order, shall be required to establish the criteria set forth in this section only from the date of that Federal action to the present.

SEC. 6. NOTICE OF RECEIPT OF PETITION.

(a) PETITIONER.—Within 30 days after a petition is submitted or transferred to the Commission under section 5(a), the Commission shall send an acknowledgement of receipt in writing to the petitioner and shall have published in the Federal Register a notice of such receipt, including the name, location, and mailing address of the petitioner and such other information that will identify the entity who submitted the petition and the date the petition was received by the Commission. The notice shall also indicate where a copy of the petition may be examined.

(b) OTHERS.—The Commission shall also notify, in writing, the Governor and attorney general of, and each recognized Indian tribe within, any State in which a petitioner resides.

(c) PUBLICATION; OPPORTUNITY FOR SUPPORTING OR OPPOSING SUBMISSIONS.—The Commission shall publish the notice of receipt of the petition in a major newspaper of general circulation in the town or city nearest the location of the petitioner. The notice shall include, in addition to the information described in subsection (a), notice of opportunity for other parties to submit factual or legal arguments in support of or in opposition to, the petition. Such submissions shall be provided to the petitioner upon receipt by the Commission. The petitioner shall be provided an opportunity to respond to such submissions prior to a determination on the petition by the Commission.

SEC. 7. PROCESSING THE PETITION.

(a) REVIEW.—(1) Upon receipt of a *documented* petition, the Commission shall conduct a review to determine whether the petitioner is entitled to be recognized as an Indian tribe.

(2) The review conducted under paragraph (1) shall include consideration of the petition, supporting evidence, and the factual statements contained in the petition.

(3) The Commission may also initiate other research for any purpose relative to analyzing the petition and obtaining additional information about the petitioner's status and may consider any evidence which may be submitted by other parties.

(4) Upon request by the petitioner, the Library of Congress and the National Archives shall each allow access to the petitioner to its resources, records, and documents, for the purpose of conducting research and preparing evidence concerning the status of the petitioner.

(b) CONSIDERATION.—(1) Except as otherwise provided in this subsection, petitions

shall be considered on a first come, first served basis, determined by the date of the original filing of the petition with the Commission, or the Department if the petition is one transferred to the Commission pursuant to section 5(a). The Commission shall establish a priority register including those petitions pending before the Department on the date of enactment of this Act.

(2) Petitions that are submitted to the Commission by Indian groups that meet one or more of the requirements set forth in section 5(c) shall receive priority consideration over petitions submitted by any other Indian group.

SEC. 8. PRELIMINARY HEARING.

(a) IN GENERAL.—Within 60 days after the receipt of a petition by the Commission, the Commission shall set a date for a preliminary hearing. At the preliminary hearing, the petitioner and any other concerned party may provide evidence concerning the status of the petitioner.

(b) DETERMINATION.—(1) Within 30 days after the conclusion of the preliminary hearing under subsection (a), the Commission shall make a determination either—

(A) to extend Federal acknowledgement to the petitioner; or

(B) that the petitioner proceed to an adjudicatory hearing.

(2) The Commission shall publish the determination in the Federal Register.

(c) INFORMATION TO BE PROVIDED PREPARATORY TO AN ADJUDICATORY HEARING.—(1) If the Commission determines under subsection (b) that the petitioner proceed to an adjudicatory hearing, the Commission shall—

(A) make available its appropriate evidentiary records to the petitioner to assist the petitioner in preparing for the adjudicatory hearing, and shall also include such guidance as the Commission considers necessary or appropriate to assist the petitioner in preparing for the hearing; and

(B) within 30 days after the conclusion of the preliminary hearing under subsection (a), notify the petitioner in writing, which notice shall include a list of any deficiencies or omissions on which the Commission relied in making its determination.

(2) The list of deficiencies and omissions provided under paragraph (1)(B) shall be the subject of the adjudicatory hearing. The Commission may not add to this list once it is issued.

SEC. 9. ADJUDICATORY HEARING.

(a) IN GENERAL.—Within 180 days after the conclusion of the preliminary hearing, the Commission shall afford the petitioner described in section 8(b)(1)(B) an adjudicatory hearing. The hearing shall be on the list of deficiencies and omissions provided under section 8(c)(1)(B) and shall be conducted pursuant to section 554 of title 5, United States Code.

(b) TESTIMONY FROM STAFF OF COMMISSION.—The Commission may require testimony from its acknowledgement and research staff or other witnesses. Any such testimony shall be subject to cross-examination by the petitioner.

(c) EVIDENCE BY PETITIONER.—The petitioner may provide such evidence as the petitioner deems appropriate.

(d) DECISION BY COMMISSION.—Within 60 days after the end of the hearing held under subsection (a), the Commission shall—

(1) make a determination as to the extension or denial of Federal acknowledgement to the petitioner;

(2) publish its determination under paragraph (1) in the Federal Register; and

(3) deliver a copy of the determination to the petitioner, and to every other interested party.

SEC. 10. APPEALS.

(a) IN GENERAL.—Within 60 days after the date the Commission's decision is published under section 9(d), the petitioner may appeal the determination to the United States District Court for the District of Columbia.

(b) ATTORNEY FEES.—If the petitioner prevails in the appeal described in subsection (a), it shall be eligible for an award of reasonable attorney fees and costs under the provisions of section 504 of title 5, United States Code, or section 2412 of title 28 of such Code, as the case may be.

SEC. 11. EFFECT OF DETERMINATIONS.

A determination by the Commission that an Indian group is recognized by the Federal Government as an Indian tribe shall not have the effect of—

(1) depriving or diminishing the right of any other Indian tribe to govern its reservation as such reservation existed prior to the recognition of such Indian group, or as the same may exist thereafter;

(2) depriving or diminishing any property right held in trust or recognized by the United States for such other Indian tribe as it existed prior to the recognition of such Indian group; or

(3) depriving or diminishing any previously or independently existing claim by a petitioner to any such property right held in trust by the United States for such other Indian tribe prior to the recognition of such Indian group.

SEC. 12. IMPLEMENTATION OF DECISIONS.

(a) ELIGIBILITY FOR SERVICES AND BENEFITS.—(1) Subject to paragraph (2), upon recognition by the Commission that the petitioner is an Indian tribe, the Indian tribe shall be eligible for the services and benefits from the Federal Government that are available to other federally recognized Indian tribes by virtue of their status as Indian tribes with a government-to-government relationship with the United States, as well as having the responsibilities and obligations of such Indian tribes. Such recognition shall subject the Indian tribes to the same authority of Congress and the United States to which other federally recognized tribes are subject.

(2) Recognition of the Indian tribe under this Act does not create an immediate entitlement to existing programs of the Bureau. Such programs shall become available upon appropriation of funds by law. Requests for appropriations shall follow a determination under subsection (b) of the needs of the newly recognized Indian tribe.

(b) NEEDS DETERMINATION.—Within 6 months after an Indian tribe is recognized under this Act, the appropriate area offices of the Bureau and the Indian Health Service shall consult and develop in cooperation with the Indian tribe, and forward to the respective Secretary, a determination of the needs of the Indian tribe and a recommended budget required to serve the newly recognized Indian tribe. The recommended budget shall be considered along with recommendations by the appropriate Secretary in the budget-request process.

SEC. 13. ANNUAL REPORT CONCERNING COMMISSION'S ACTIVITIES.

(a) LIST OF RECOGNIZED TRIBES.—Not later than 90 days after the date of the enactment of this Act, and annually on or before every January 30 thereafter, the Commission shall publish in the Federal Register a list of all Indian tribes which are recognized by the Federal Government and receiving services from the Bureau of Indian Affairs.

(b) ANNUAL REPORT.—Beginning one year after the date of the enactment of this Act, and annually thereafter, the Commission shall submit a report to the Committee on Natural Resources of the House of Rep-

resentatives and to the Committee on Indian Affairs of the Senate a report on its activities, which shall include at a minimum the following:

(1) The number of petitions pending at the beginning of the year and the names of the petitioners.

(2) The number of petitions received during the year and the names of the petitioners.

(3) The number of petitions the Commission approved for acknowledgment and the names of the acknowledged petitioners.

(4) The number of petitions the Commission denied for acknowledgement and the names of the petitioners.

(5) The status of all pending petitions and the names of the petitioners.

SEC. 14. ACTIONS BY PETITIONERS FOR ENFORCEMENT.

Any petitioner may bring an action in the district court of the United States for the district in which the petitioner resides, or the United States District Court for the District of Columbia, to enforce the provisions of this Act, including any time limitations within which actions are required to be taken, or decisions made, under this Act and the district court shall issue such orders (including writs of mandamus) as may be necessary to enforce the provisions of this Act.

SEC. 15. REGULATIONS.

The Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions and purposes of this Act. All such regulations must be published in accordance with the provisions of title 5, United States Code.

SEC. 16. GUIDELINES AND ADVICE.

(a) GUIDELINES.—No later than 90 days after the date of enactment of this Act, the Commission shall make available suggested guidelines for the format of petitions, including general suggestions and guidelines on where and how to research required information, but such examples shall not preclude the use of any other format.

(b) RESEARCH ADVICE.—The Commission, upon request, is authorized to provide suggestions and advise to any petitioner for his research into the petitioner's historical background and Indian identity. The Commission shall not be responsible for the actual research on behalf of the petitioner.

SEC. 17. ASSISTANCE TO PETITIONERS.

(a) GRANTS.—(1) The Secretary of Health and Human Services may award grants to Indian groups seeking Federal recognition to enable the Indian groups to—

(A) conduct the research necessary to substantiate petitions under this Act; and

(B) prepare documentation necessary for the submission of a petition under this Act.

(2) The grants made under this subsection shall be in addition to any other grants the Secretary of Health and Human Services is authorized to provide under any other provision of law.

(b) COMPETITIVE AWARD.—Grants provided under subsection (a) shall be awarded competitively based on objective criteria prescribed in regulations promulgated by the Secretary of Health and Human Services.

SEC. 18. AUTHORIZATION OF APPROPRIATIONS.

(a) COMMISSION.—There are authorized to be appropriated for the Commission for the purpose of carrying out the provisions of this Act (other than section 15 17), \$1,500,000 for fiscal year 1996 and \$1,500,000 for each of the 12 succeeding fiscal years.

(b) SECRETARY OF HHS.—There are authorized to be appropriated for the Administration for Native Americans of the Department of Health and Human Services for the purpose of carrying out the provisions of section 17, \$3,000,000 for each fiscal year.

□ 2040

CAPITAL BUDGETING AND ITS RELATION TO THE BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the Gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, tonight what I would like to discuss is capital budgeting and its relation to the balanced budget amendment of the Constitution, for one of the amendments that will be on the floor tomorrow will be the amendment that I appreciate the Committee on Rules making in order, my amendment, the Wise amendment, that says that the budget must be balanced by the year 2002. It takes Social Security off budget, and it puts in place capital budgeting for physical infrastructure. A real mouthful. What does it mean? It simply means that it permits that kind of investment that produces much more economic return than it costs. It permits investment to be included in any kind of balanced budget approach.

It recognizes there is a difference between the dollar that you spend for consumption and the dollar you spend for investment. I call this the family budget amendment, because what it does is to recognize what the American family does. The American family sits down at its kitchen table every month to balance the checkbook and it writes out checks for the heating bill, the food bill, the doctor, whatever that consumption, and also those investments that the family made because it was important for the family to be able to grow in the house, the investment for the car, and the investment for the college education.

What is the significance of capital budgeting? I have two charts that I think tell this story well. What we are talking about here is being able to account for our infrastructure, our roads, our bridges, or highway systems, our airports, our water and sewer systems, those things that make us grow, to account for them in the same way every State and business does.

What is it important? The first chart, I think, bears this out. Studies are now showing, and these studies are now showing and particularly from Dr. David Aschaur, that there is a direct correlation between productivity increases and capital budgeting and infrastructure investments.

Because the United States has not been investing at the same rate that it once did in its roads, its bridges, its infrastructure, its productivity has been essentially a flat line of 1 percent growth a year since the year 1978. And yet look what has happened to Canada, Italy, France, and Japan who are all investing far more in relation to their gross domestic product than the United States. The United States is investing somewhere around 1 percent, and it sees about a 1 percent productivity gain a year. Japan has consistently in-

vested 4 to 5 percent, and it sees a corresponding productivity increase.

Incidentally, Japan, with half the population and about 60 percent the size of economy of ours, has productivity growth far exceeding.

The next chart, I think, is also important. It shows it a little differently. These are all different countries, and it shows the percent of gross domestic product that they put into their public infrastructure, and then it also shows growth of those economies, and once again, you see the United States a flat line relative to all the other nations, and so you can see the more you invest in your infrastructure the more return you get in productivity which means your economy grows, your payrolls grow, your jobs grow.

We do not have that system here. What I am asking for in this balanced budget amendment is that we recognize investment, that we recognize investment in physical infrastructure, that we recognize what all of these other nations do, and that we create an incentive for investment.

People do not want the balanced budget amendment simply to cut a deficit and yet at the same time leave us in bankruptcy. What they want is a balanced budget amendment to bring us to truly end our deficit but at the same time to do it so that we are a growing economy.

You cannot do it if you are going to shut off this kind of investment. And so what we will do with our balanced budget amendment is to say Social Security is off budget, and most importantly, capital investment will be recognized for physical infrastructure, not for other things. It is not a grab bag you can count your way out of any problem, but for physical infrastructure only, highways, roads, bridges, airports, water, and sewers, buildings, those kinds of things.

In the domestic budget, discretionary budget, \$60 billion roughly goes to capital investment. That is nondefense. If you choose to include defense in there as well, the battleships and those things that protect us, aircraft carriers, the fighters and so on and amortize them over the life of the asset, then you are talking about another \$60 billion, but I think you are talking about something else as well.

Right now there is a disincentive, strong reasons not to do this kind of investment, because it is not rewarded in our Federal accounting system.

Under our budget amendment, it is rewarded. It is recognized. Is this something radical, different? Please check every State. We say we want to model this after the States as well as the families. Please check every State. You will find every State has a capital budget. The United States can do the same.

NUTRITION AND THE FAMILY-FRIENDLY CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from North Carolina [Mrs. Clayton] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, there is much talk in this House about this being a family-friendly Congress. What constitutes a family-friendly Congress. Is it just that we are given a schedule which allows us time to spend with our families? This of course is very important to all of us. But as leaders we have the responsibility of also being friendly to the families which we represent. In being friendly to these families, we should be able to ensure them that they will be given the option of meeting their basic needs—such as clean water to drink, fresh air to breathe, and food to eat. During the recent debates on the unfunded mandates, we have discussed in great detail the clean water and fresh air issues. It is now time to focus our attention on nutrition.

I believe that we have come to a consensus on both sides of the aisle that our current welfare system needs major reform. But reform should be directed at moving people out of poverty—not into poverty. The President said on last evening, we need a lean but not mean government. It should not mean cutting nutrition programs which are essential to the well-being of million of our citizens—the disadvantaged, our children, our elderly and the disabled. These are the groups of people who in many instances cannot fend for themselves and need assistance for their basic existence. They are not asking for much—just a little sustenance to help them through the day—to keep their children alert in class or help the adults be productive on their jobs. I am speaking specifically of the nutrition programs which in many cases provide the only nutritious food many of our Nation's poor receive daily. We are all aware that poor nutrition breeds poor development in children and low productivity in adults. I am not necessarily speaking of the homeless population—I am speaking of those people who, although they are working, are still struggling to make ends meet—and cannot afford to feed their families—one-fifth of families receiving food stamps are working families who have gross incomes below the poverty level. Aren't these people suffering enough? Can we in good conscience say to these citizens that feeding your family is not important to the Members of Congress.

Currently the Food Stamp Program serves over 27 million people in the United States—over half of them are children—51 percent. Seven percent are elderly. The program allows only 75 cents per person per meal—75 cents per person per meal—when was the last time you were able to buy a 75 cent lunch in the cafeteria? Have you noticed the price of a McDonald's happy meal lately? Not even a happy meal for

the kids. Are we saying that the Federal Government can't afford to buy a hungry child lunch?

It is essential that we continue these nutritional programs. The School Breakfast Program as we know it today provides a child with one-fourth of the daily recommended dietary allowance. The School Lunch Program—which serves over 13 million children—provides about one-third or more of the daily recommended dietary allowance for children. These nutritional programs have standardized dietary allowance by the Federal Government. If we remove the Federal Government's input, it will be up to each State to set dietary standards for their program. This could mean 50 different sets of standards to feed our Nation's children. Is it fair to expect the States to maintain these nutrition programs and still feed hungry children when in fact they will receive a reduction in Federal assistance? We will be asking them to do more with less.

Over the past several days, I have received a great number of letters from elderly constituents in my congressional district. They ask only one thing—please do not eliminate the meal programs which serve the elderly population—such as the Meals on Wheels Program.

□ 2050

These programs are funded through the Older Americans Act and are not considered welfare programs. Yet these programs are being considered in the welfare reform package and to be block grant to States. Great reductions are proposed.

It is apparent that nutrition is essential for people to be productive members of their communities. Malnutrition, or undernutrition, will only promote poor health and productivity problems—as well as social problems. Let's face it, people will do whatever is necessary to feed their children.

Again, I agree that the welfare system needs reform. But why cut programs that are working. We can't lay the blame of an unbalanced budget solely on the cost of these programs since less than 3 percent of the budget is targeted for feeding the hungry. And statistics indicate that for every dollar spent on WIC, between \$2 and \$4 are saved in health care costs. As for the elderly, it is a fact that a hospital stay for a malnourished senior citizen may double in comparison to a well-nourished senior—inflating the cost to Medicare an additional \$2,000 to \$10,000 a day.

I come from a very rural, very poor district. Making cuts in these nutrition programs will certainly be adverse to my district, and to many of my constituents.

Let's stop picking on our elderly—let's stop picking on the children—let's stop picking on the poor—let's make some cuts, sure, but let's make them to the people who can afford them—not by taking food out of the mouths of children and senior citizens.

The Republican welfare reform really goes too far to deny poor children and senior citizens from a needed healthy meal.

IMMIGRANTS AND THE NUTRITION BLOCK GRANT

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from California [Mr. BECERRA] is recognized for 5 minutes.

Mr. BECERRA. Mr. Speaker, I too would like to speak on the issue of welfare reform and specifically the legislation proffered by the majority party in the Contract on America, H.R. 4. I want to rise today to voice my concerns with that portion of H.R. 4 which talks about block granting all the nutrition programs that currently exist to provide assistance to our young children in this country who are unfortunate enough to be poor.

H.R. 4 calls for the elimination of all the Federal food assistance programs, which would include WIC, food stamps, and school lunches. It would clump all of them together in a block grant at substantially reduced funding levels. Reduced funding levels will lead to fewer people being served and also will not take into account the increased need for food assistant program during economic downturns.

As hard as it may be to believe, this is not the only disconcerting aspect of H.R. 4. This bill not only proposes to limit funds provided for nutrition, it also intends to cut off immigrants, legal immigrants from the very start of any program. No service or assistance to legal immigrant children, even though their parents are here at the invitation of this country, even though these parents pay every single same tax that American citizens pay and even though these parents are obligated and do serve in our military in time of war. All responsibilities are there for the parents of these legal immigrant children. Yet the services paid for in part by the tax dollars of these legal immigrant parents would not be there for these children.

Though they receive less attention, the immigrant children, in this whole debate on welfare reform, the provisions of H.R. 4 which deal with immigrant eligibility for Federal benefits need to have clarity. H.R. 4 would completely withdraw the safety net from nearly all legal immigrants, immigrants, as I said before, who came to this country with every right to be here because they were told by this country that they could come in.

Sixty programs would be eliminated from participation of immigrants and their children. Immigrants would be barred from all of the major Federal programs for job training, human investment, as well as those that provide nonemergency health care, housing, nutrition, cash assistance for women, children, seniors, and persons with disabilities.

This means, for example, a 6-month-old baby who came here with his mother would be ineligible for basic vaccinations.

A 7-year-old legally present in the United States would be denied foster

care and adoption assistance upon the death of her parents.

A 23-year-old woman legally present in the United States, forced from her home in flight from an abusive husband, would be denied job training, child care, and other services coordinated by a battered women's shelter.

A 35-year-old man granted political asylum here after fleeing torture in his native land for his religious beliefs would be ineligible to receive canned goods from the food bank run by his local church.

A 60-year-old woman who emigrated legally when she was 15 years old and who has worked in the United States all of her life would be rendered ineligible for Medicaid to treat her dangerous heart condition.

These things would occur because this is where the new majority party thinks it could find so-called savings. In fact, the savings which result from denying benefits to legal immigrants represents less than 3 percent of the 5-year budget of the affected programs.

I strongly support a reappraisal of our welfare system and Government spending. However, in this case, it seems that a great number of people would be hurt for an almost insignificant financial gain.

What is the practical application of H.R. 4's restriction? How would this work in the following scenarios, for example? Looking at school breakfast and lunch, a brother and sister whose parents have recently become unemployed begin their school year.

Will the brother, who was born in this country, be eligible for a subsidized lunch while his sister, born in Russia, will be ineligible because she is not yet a citizen?

Will poor immigrant children be further stigmatized because their family cannot afford lunch money for their kids? Will they stay out of the lunchroom altogether because they are embarrassed because they are immigrants?

Is this constitutional? Based on the Supreme Court decision in Plyler versus Doe, immigration status is irrelevant when the right to education is considered. Following World War II, Congress approved the National School Lunch Act as a measure of national security to safeguard the health and well-being of our Nation's children.

I think it becomes clear, Mr. Speaker, to say it makes no sense to deny these children the basic benefits, and I would hope that we would reevaluate H.R. 4.

Mr. Speaker, further, the Child Nutrition Act of 1966 was enacted "in recognition of the demonstrated relationship between food and good nutrition in the capacity of children to develop and learn." Is the health and well-being of our children no longer an issue of national security? Is there some new evidence disproving the relationship between nutrition and learning? Is it the intent of H.R. 4 to change our Constitution?

Looking at the Women Infants and Children Program [WIC], which provides coupons for

food staples such as milk and eggs to very poor pregnant women to meet basic nutritional needs, we find that through WIC:

Medicaid costs were reduced on average about \$12,000 to \$15,000 per infant for every very low birthweight baby.

On the initial investment, total saving in health and education related expenditures over the 18 years of life of WIC children amounted to over \$1 billion.

Setting aside the issue of humanity for a moment, are we willing to incur these huge debts just because immigrants have become unpopular? The WIC Program has proven itself over and over again; why stop the savings we know we can accrue?

Are we willing to deny a pregnant woman who is a legal immigrant—whose child will be a citizen at birth—the benefits of the WIC Program? Are we willing to all but guarantee the birth of a low birthweight citizen?

And as for emergency food aid, are we willing to say that a legal immigrant who is disabled on the job and becomes unemployed can't go to a soup kitchen?

In recent days, there have been reports that the Republicans may resolve the matter by allowing individual States to decide whether their noncitizen residents will be barred from aid. A Republican Member was quoted as saying, "We should not be mandating to the States how they should best decide who they consider most deserving and most in need of social assistance." What do you suppose would have happened if there had never been a Brown versus Board of Education Supreme Court decision? Do we now value one person in this country more than another? What message does this send to legal immigrants? Why should they feel less worthy than any other individual?

Why should one baby born to a law-abiding mother not get benefits when another baby will? We cannot begin this debate by stigmatizing a whole group of people who certainly do not deserve it. Welfare reform is supposed to be about fixing the system and giving people a chance to succeed. Let's not get confused and try to balance the budget on the backs of immigrants.

The Senate has said it will not pass legislation which would cut off benefits to noncitizen immigrants. I think this is the only option we have before us. I encourage all Members to reject a proposal that has at its base a return to segregation; but this time it is segregation where one group of people is stigmatized, discriminated against, and denied access to programs simply because the people—regardless of how responsible and committed to this country they may be—were not born in this country.

Mr. HALL of Ohio. Mr. Speaker, the Republican proposal to block grant current Federal nutrition programs such as WIC, Food stamps, and the School Breakfast and Lunch programs is a terrible mistake. The proposed block grant will shift the responsibility to the states without providing adequate funding and will hurt America's most vulnerable, the children and elderly.

Mr. Speaker, everything in government is not broken. These programs were started in response to documented problems of malnutrition in the United States. These programs have a proven track record—they have improved the nutrition and health of low-income people in this country. Food stamp benefits across the country are tied to the cost of a

modestly-priced nutritious diet sufficient to sustain an active, health life. The key components of WIC include food packages tailored to specific nutrition requirements, nutrition education, health care referrals, and immunization screening. The Child Nutrition programs contain standards that ensure that school meals served to America's children meet certain nutritional requirements. These programs serve as an important safety net for low-income families, especially working families with children.

In an effort to cut government spending and deliver on their elected promise to downsize the federal government, the Republicans have targeted an easy, non-voting population—America's poor and hungry children. Their proposed block grant would result in a reduction of at least 30 billion over the next five years. Their proposed block grant would also set a cap on annual appropriations in years to come. Anti-hunger programs would be subject to political whim and could never be adjusted for changes in unemployment, poverty, school enrollment or to respond to natural disasters like the recent flooding in California. While we are experiencing an economic recovery today—only those with a crystal ball can predict what will happen tomorrow.

Most of the larger anti-hunger programs—including food stamp, school lunch, and school breakfast programs are entitlements. This means the programs provide benefits to any low-income household or child who applies and meets the programs' eligibility conditions. These programs expand during recessions as unemployment rises and the number of low-income people qualifying for food stamps and free school meals grow. This funding structure has proved crucial to the success of these programs in reducing hunger in the United States. The proposed block grant will threaten their success.

These federal nutrition programs serve as an important safety net for low-income families and children. In Ohio, our food stamp and school lunch programs serve almost one million children. If this block grant passes, Ohioans and Americans will wind up paying the price in higher health care costs, larger social service budgets, and ultimately in adults ill-equipped to contribute productively to an economy that demands highly skilled and versatile workers.

Mr. Speaker, children are one of my highest priorities. The School Lunch Program provides school children with one-third or more of their Recommended Dietary Allowance [RDA] for key nutrients. The School Breakfast Program provides children with one-fourth or more of their RDA for key nutrients. The Food Stamp program increases the nutritional quality of diets of the 14 million children that live in households that are poor. Five million children receive meals in the summer when school is not in session. These programs cannot be removed without serious negative consequences to our children's health.

There have been so many studies that link the detrimental effects of undernutrition on a child's ability to learn. Undernutrition impacts the behavior of children and their school performance. Undernutrition results in lost knowledge, brain power and productivity for the nation. The longer and more severe the malnutrition, the greater the likely loss and the cost to our country. Hungry children are 2 to 3 times more likely than other children to suffer from

health problems such as anemia, headaches and an inability to concentrate—problems that make these children fail in school and become inadequately prepared for the job market. We can't in good conscience be unmoved when children go to bed hungry at night and without these programs, millions of children will go hungry because they are not getting enough to eat anywhere else.

Those who support the block grant claim that the proposal protects WIC and brings it to full funding. This is not accurate. To the contrary, the proposal poses serious dangers for WIC and the purposes it serves. Specifically there is no requirement that block grant funds be spent on WIC nor is there any requirement that WIC even be maintained as a program rather than be dismantled. The proposal actually contains a provision that creates an incentive for states to reduce or end WIC. WIC links food assistance and nutrition education with essential maternal and child health services. WIC functions as a magnet, drawing low-income women and children to health clinics where they receive prenatal and pediatric care and immunizations, as well as WIC benefits. WIC is good for the American people.

Historically, there has been bi-partisan support for these programs in both houses because those families with our anti-hunger programs know these programs as cost-effective. We know that for every dollar spent on WIC, we save between \$2–\$4 in health care costs in the future. The General Accounting Office estimated that in 1990 WIC benefits saved \$740 million in health and special education expenditures. Total savings in health and education-related expenditures amount to over \$1 billion for children through 18 years of life who participated in WIC during early childhood. Our solutions need to be results oriented and move the participants out of poverty. It makes good economic sense to invest in programs that work so we don't pay more later.

Some reformers want us to send the problem of hunger to the States and hope the problem goes away. Well it won't. Block granting these programs does not make the problem go away, it simply shifts the responsibility to the states, without providing adequate funding. States could be forced to create waiting lists for food assistance or cut the amount given to each recipient.

The block grant funding levels would not automatically respond to increases in poverty during recessions, increases in school enrollment that result in more children needing school lunches and breakfasts, or increases in the number of low-income children enrolled in child care institutions and needing meals at these institutions. School enrollment is projected to rise in coming years. Child care enrollment also is expected to increase as more women are moved from welfare to work and the entry of mothers into the labor force continues. Continuing to invest in programs that work is a proven way to reduce the welfare rolls in the future.

Mr. Speaker, it is time to put aside the politics and start concentrating on people. Let us continue the bi-partisan spirit that has helped poor and hungry children over the last thirty years.

Let us continue the bi-partisan support of programs that work. I challenge my friends on the other side of the aisle to weigh the value

of these programs rather than make quick decisions in the name of downsizing federal government. It is time to end childhood hunger, not successful nutrition programs that feed hungry children.

Mr. MARTINEZ. Mr. Speaker, I rise today in support of the elderly and the millions of Americans, most of them children, who rely on the various nutrition programs funded by the local, State and Federal Governments.

Our friends on the other side of the aisle would have us believe that these nutrition programs are welfare and should be included in welfare reform.

Further, they indicate that these programs are overlapping, and that there is no need for several separate programs at the Federal level.

So they propose that these programs all be consolidated into a block grant to the States.

Then they take the next step—they would remove all nutrition guidelines currently in the programs, leaving it to the wisdom of State administrators to develop their own guidelines.

That proposal is wrong-headed from the start.

Federal nutrition programs, such as the School Lunch Program, were not created because of the welfare state.

At the end of World War II, as America looked back on its 5-year effort to rid the world of Nazi tyranny and Japanese aggression in the Pacific, a Republican Congress considered this country's state of readiness to field massive armies to deal with future aggressors.

Review of military physical records disclosed an alarming fact—many of the Nation's young potential recruits were barely able to pass selective service physicals—because of the effects of poor nutrition during their maturing years.

It was because of the necessity to ensure that future calls to arms would find healthy young people available to serve the Nation in time of war that the Congress developed the National School Lunch Program.

The program provided assistance to the Nation's local elementary and secondary educational schools with one purpose in mind—to ensure that the children attending those schools received at least one fully nutritious meal every school day, and, in cases where the child could not afford to pay for the meal, he or she received it at reduced or no cost.

So this was not created as a welfare program, and it is not a welfare program now—it is a program that enables the Nation to be more sure that its children will grow up healthy.

What are the direct economic costs of eliminating that program—let me list a few:

Our already out of control medical costs will increase as people age with a history of poor nutrition as children.

Studies confirm something we have known for over 50 years—poor nutrition as a child leads to increased illnesses as an adult.

Our economy suffers from increased employee absences, lower production at the workplace, and increased direct medical costs.

It this Congress removes the school lunch program direct funding, many school districts will find it impossible to sustain school cafeterias, and will terminate hot school lunch programs, leading to poorer nutrition for all students—and I mean all students—whether rich or poor.

Focused school lunch programs are also good for the economy because the national

school lunch industry—and make no mistake about it, it is an industry—from the farmer who produces the milk and other foods, to the former welfare mother who finally landed a job in the cafeteria, and all of the processing, packaging and delivery workers in between will find themselves unemployed.

According to the Agriculture Department a loss of as many as 138,000 jobs.

At the other end of the spectrum we have the nutrition programs for senior citizens funded in part by HHS and the Agriculture Department.

The Federal contribution to senior citizen nutrition programs, along with significant funding by States, localities and private individuals and organizations, provide nutrition to senior citizens in two ways.

Where a senior citizen is homebound, either because of physical frailty, remoteness of the residence, or other cause, and regardless of the economic status of that individual, the nations aging services network can and does provide home delivered meals.

In some localities, this means a volunteer comes to the home every day and prepares the meal, or delivers one that the homebound senior can reheat.

In others, meals are delivered once a week, and the senior or a caregiver prepares the meal on a daily basis.

If the senior citizen can get out of the house, he or she may visit a senior citizen center—either one sponsored by the local area agency on aging or a private group—a church or synagogue, or a senior citizens' association—and join fellow seniors for lunch, and sometimes for dinner.

Where federal funds are used in these programs, no specific charge is made for the meals, although most senior centers solicit contributions.

Seniors of all economic classes are very willing to eat these meals, and 225 million meals were served in 15,000 community nutrition sites all over the United States.

In my discussions with senior citizen groups who operate congregate meal programs, I have often been told that it is in our Nation's poorest neighborhoods that elderly participants contribute the most money in voluntary collection boxes.

Why is this program so important. Because, again as studies over the past few decades have consistently shown, good nutrition among our aging population translates into significant savings in out health care system.

These meals provide highly directed nutrition, and a strong sense of social integration to a population that benefits immediately from those meals.

A healthy senior, who does not feel isolated from society and his or her peers, is active, productive and far less likely to need very expensive medical care or hospitalization.

Studies have shown that for every dollar spent on senior nutrition programs, a direct savings of three dollars in health care costs results.

So, if you want to save Federal dollars, and we all do, make sure you know where the costs are.

Protect the elderly who are responsible for the greatness of our Nation, protect the children who are our future.

Reject the Republican's misguided effort to destroy America's nutrition.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Ms. MCKINNEY] is recognized for 5 minutes.

[Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. KILDEE] is recognized for 5 minutes.

[Mr. KILDEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. PASTOR] is recognized for 5 minutes.

[Mr. PASTOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

PROPOSED \$40 BILLION UNITED STATES LOAN GUARANTEE TO MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. MENENDEZ] is recognized for 5 minutes.

Mr. MENENDEZ. Mr. Speaker, on November 18, 1993, I cast my vote against the NAFTA, not because I oppose free trade; not because I oppose the economic integration of the Western Hemisphere; and not because of the incomplete, albeit substantial, movement toward political and economic reform in recent years in Mexico. No—I cast my vote against the NAFTA because I believed that Mexico as an economy was not prepared to enter an argument of this magnitude with the United States.

I believed then as I believe now, that a more gradual approach toward economic integration, such as that adopted by the then-European Community toward nations seeking membership, is wiser. These nations were required to meet high economic and political standards before enjoying European Community benefits.

The hard-working families of the 13th District of New Jersey, which I represent, do not join exclusive clubs which they cannot afford. They do not buy expensive homes if they can't afford the down payment. They do their sweating at work—not in fancy health spas. These middle class families know their limits.

We should have anticipated the possibility of a peso devaluation. We should have regarded Mexico like the developing economy that it was—not as the developed economy we portrayed.

Many supporters of NAFTA told me that if I were to vote for NAFTA, I would be doing the right and responsible thing. Now they claim that the

right and responsible thing is to bail out Mexico.

The value of the Mexican currency, the peso, fell a dangerous 40 percent in just three weeks. In one week alone, American investors withdrew \$12 billion dollars from Mexico. But—that's the free market at work.

Our middle class stands to be a big loser in this deal. Of the billions of dollars pumped into Mexico in the wake of NAFTA, many were invested by U.S. speculators who sent to Mexico the hard-earned dollars of middle class families in the form of mutual or pension fund investments.

With the passage of NAFTA, we created a speculative environment in which middle class investors, the mom and pop investors so vital to Wall Street brokers, were led to believe that investing some of their hard-earned life savings on emerging Mexico was a safe bet. But billions of dollars later, we know it's not.

Now the United States proposes to act as a lender of last resort to salvage the Mexican economy. But will this bailout really help? Even the most ardent NAFTA supporters have their doubts. Listen to avid NAFTA backer, Wesley Smith of the Heritage Foundation: "This takes real pressure off the Mexican Government to make substantive changes." James K. Glassman of the Washington Post agrees that the loan guarantees may provide a disincentive for reforms in Mexico. Like parents who are too lenient with a rebellious adolescent, we may be encouraging misbehavior in the future. We may be helping the speculators who poured money into Mexico, but harming the prospects there for economic and political reform. I have serious doubts as to whether the Administration's proposals will win my support.

If the United States is going to be generous as a lender of last resort, then it is appropriate that we ask Mexico to be a first-rate client. The administration must insist on assurances that would make the loan guarantee effective:

The money that the United States guarantees must only be used for what it is intended: to pay the debts on short-term Mexican bonds.

If we are going to bail out speculators, then we should protect middle class Americans by reporting to the American people through this legislation the losses they incurred through mutual or pension funds invested in Mexico.

The billions in oil revenues that Mexico earns annually must be used as collateral should the Mexican Government default.

The Mexican Government should accelerate and broaden its privatization program.

The Mexican Government should continue the political, economic, and social reforms that it requires if it is to achieve long-term stability.

And by the way, none of this money should be used to prop up the 36 year

Cuban dictatorship of Fidel Castro, who has recently benefited from generous Mexican investments, debt forgiveness, and debt-for-equity swaps. No Mexican foreign assistance, nor any investments sustained by United States credit lines, should go to Cuba's oppressors—neither from the Mexican Government nor any of its banks or state-related companies. Not one red cent.

This crisis is about speculation. It is about the speculative environment created by those who supported NAFTA without the appropriate safeguards. That speculative environment has led to the loss of billions of United States dollars invested by hard-working American families who put their savings in mutual funds and pension funds investing in Mexico. It is time to bring a reality check to the risks of the emerging markets and to the joys of the good old U.S. Treasury and blue chip stocks.

□ 2100

NUTRITION PROVISIONS IN THE PERSONAL RESPONSIBILITY ACT

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from Missouri [Mr. CLAY] is recognized for 5 minutes.

Mr. CLAY. Mr. Speaker, I rise to oppose the provisions in the Personal Responsibility Act which contains a food assistance block grant.

The child nutrition provisions in the Personal Responsibility Act will completely eliminate the National School Lunch Program as it has existed since 1946. The Personal Responsibility Act would combine a set of Federal food assistance programs—including food stamps, school lunch, school breakfast, the WIC Program, elderly nutrition, and the Emergency Food Assistance Program [TEFAP] into a single block grant to States, with a reduction in overall funding for the programs. The House Republican Conference has estimated that the 4-year reduction in funding as compared with current law would be \$11 billion. Probably a more accurate reduction is \$17.5 billion as projected by the center on budget and policy priorities.

There are many reasons why I oppose the block grant method for the distribution of funds:

Historically, when Federal funds have been left to the discretion of a few, they have not been distributed to the most impoverished or the ones in need the most. Giving States carte blanche authority does not guarantee that Federal funds will be used to address the national needs that Congress has identified.

By definition, block grant programs do not require that specified programs are provided for specifically targeted populations. Reporting and evaluation requirements for most block grants are so limited that information about program participation levels, implementation and effectiveness is not sufficient to provide guidance for continued funding of the programs.

Even though education is administered through 50 States and over 15,000 local educational agencies [LEA's], and conditions do differ among States and LEA's, certain identi-

able national problems are of sufficient importance to merit special Federal programs.

For these and other reasons, I ask my colleagues to oppose this movement to combine nutrition programs into a block grant.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from New York [Mr. FORBES] is recognized for 60 minutes as the designee of the majority leader.

WHY I SUPPORT THE BALANCED BUDGET AMENDMENT

Mr. FORBES. Mr. Speaker and Members of the House, I rise today in support of the Contract With America's version of the balanced budget amendment that requires a three-fifths vote of this body in order to raise taxes. It is the most responsible proposal on the table for bringing down our national debt and applying discipline against this Nation's outrageous spending programs.

I support the tax limitation amendment because I agree with President Reagan who so often reminded us that the problem is not that the government spends too little. It is that the American people are taxed too much.

The budget must be balanced, and it must be balanced by cutting spending, not by raising taxes.

On election day, Mr. Speaker, the people in my area on Long Island and the rest of the country spoke loud and clearly. They sent me and my new colleagues in the freshman class—in fact they sent all of us here to Washington with a very specific mission, to end business as usual. No more raising taxes, no more reckless spending, no more of the arrogance and the double standards that have plagued this distinguished body and that have punished this country for the past half century. My neighbors on eastern Long Island want Members of Congress, and in fact all of Washington, to start acting like so many families have to act, with responsibility for our actions and a good dose of common sense in our decisions. But the people's call for responsibility was not an angry and hysterical demand for change of any sort. On the contrary, Mr. Speaker, it was a very specific endorsement of a very particular set of policies.

The Contract With America is a study in middle class values, and ideas and goals that can bring our government, once and for all, under control and restore fiscal integrity across this Nation, and the notions contained in the Contract With America, to the chagrin of many of my Democratic colleagues, have been embraced by the people whom we have the privilege and the obligation to serve, and key to our contract with the people is a tax limitation balanced budget amendment, a call to live within our means, a demand

to keep our books in order. It is a reasonable, common sense request that simply requires that we will not spend more money than we have.

But after listening to so much of the discourse today, and as we will listen tomorrow, I am shocked that so many people in this body still do not quite get it. Some people think that it is OK for Congress to go on spending more money than we take in and to spend money faster than it is printed while too many middle class families, who we are supposed to champion, are at home struggling to try to meet basic needs, while parents at home in my area in Medford, and Speonk, and Montauk, and Smithtown, are working sometimes two, and three, and even four jobs to meet their monthly obligations, to try to put money aside to send their children to college. This body has routinely voted to mortgage their children's future with reckless spending programs that have left us with a \$4.7 trillion debt.

Now let us be absolutely clear about what this means. Congress has spent \$4.7 trillion and never had the money to back it up. That is a pretty bad credit rating in my book, and in the book of most of America's families, and in the credit book of most of America's businesses. Decency, responsibility and basic fairness all demand that we balance the budget and that we do it without raising taxes, but so does the law of economics. A higher deficit is proof positive of fiscal irresponsibility.

□ 2110

It leads to higher long-term interest rates, that in turn decrease investment and economic expansion. The effect on our country's small business community is devastating.

Let me quote from a letter that is circulating here from the U.S. Chamber of Commerce, the largest representative of our Nation's small businesses. The Chamber of Commerce writes to each Member of this House,

Perhaps more than any other sector of the American economy, small businesses have felt the effects of Federal fiscal mismanagement and inefficiencies. Large and growing Federal deficits reduce savings and investment, stymie income and job growth, and reduce our overall standard of living. They ultimately lead to increased taxes, higher interest rates, and reduced global competitiveness.

The bottom line is obvious. We must balance the budget, and we must do it without raising taxes, and we must start today.

We owe it to the American people to start behaving like grownups. But just deciding to balance the budget is one thing. Actually doing it is quite another, as we are finding out, and it is a much more difficult task. But time after time, this House has attempted to rein in spending and pare down the deficit.

Some of us will remember that 10 years ago here in Washington, an innovative creation came to the floor, it

was called Gramm-Rudman-Mack. And it was a good effort to slow the growth in Federal spending, and it followed years and years and years of promises to rein in Federal spending and get toward a balanced budget. And Gramm-Rudman worked for a few years, until it was gutted in the 1990 budget deal.

Likewise, the Kasich-Penny budget cuts were a courageous proposal to reduce spending, but they too were rejected because the choices were just too tough for a body that lacks the discipline and the political courage to make them work.

A balanced budget amendment to the Constitution that includes real tax limitation is the only way of imposing discipline upon Congress that it needs to get the job done. Too much time has been spent hoping and talking and breaking promises and waiving the rules. And all that time the debt has continued to soar.

The reason I think it has been so difficult for measures like Gramm-Rudman and Kasich-Penny to succeed is because it is difficult to cut spending, and it is difficult to say no to powerful lobbyists and concentrated special interests that permeate this town. But ultimately, cutting spending is the only responsible way to balance the budget.

Let me be perfectly clear: We cannot, we must not, force the people of this country to pay higher taxes, because we do not have the political will to make the tough choices. And time and time again we have examples that this body has lacked that political will.

Simply put, the budget should not be balanced on the backs of the taxpayers, and that is why I am a strong supporter of the Barton balanced budget tax limitation amendment. The Barton amendment's 60 percent supermajority is the strongest defense we have against the easy route of punishing the taxpayers for this body's spending excesses. It forces Washington to cut spending, to get rid of waste, and to do it all without raising taxes. Not only is raising taxes in order to balance the budget an unfair and irresponsible way to go, it just does not work as well.

The 1990 budget agreement promised to reduce the deficit by \$500 billion over five years simply by raising taxes. But now, 5 years later and after lots of pain, our so-called reward for paying higher taxes has not been a lower deficit, has not been a reduced debt. As a matter of fact, precisely the opposite effect has occurred. Since the 1990 budget agreement, the debt has grown by more than \$800 billion. And the lesson is simple: More taxes lead to more spending and a higher public debt. More taxes do not balance the budget. They simply rob the American people of their hard-earned dollars.

The solution to this crazy cycle of taxing and spending is the solid tax limitation proposed by the Barton amendment. By requiring 60 percent of the Congress to approve a tax increase rather than a simple majority, we

guarantee that tax hikes will not be the solution to a problem that originates on the spending side of the Federal budget.

To quote Milton Friedman in a recent Wall Street Journal editorial, it cannot be emphasized too much that the real burden on the economy is what government spends or mandates others to spend, rather than how much it receives in taxes.

And he is right. Raising taxes can only lead to an increased debt. If we are serious about wanting a balanced budget, if we are serious about wanting to live responsibly and within our means, then we must be serious about opposing any and all tax increases. And the only balanced budget amendment that guarantees that is the Barton balanced budget amendment. That is the original balanced budget amendment in the Contract With America.

The Barton amendment imposes a discipline that this House lacks and that this House has proven time and again it is willing to waive. The economic facts back up the Barton amendment's central theory that too much spending is the cause of the deficit, not insufficient revenues.

Since the 1960's, Federal spending as a percentage of Gross Domestic Product has increased by 5 percent, from less than 18 percent in the sixties, to more than 23 percent in 1995. But at the same time that the rate of government spending has increased so dramatically, the Government's revenue from taxes has actually stayed fairly steady, between 18 and 19 percent. Essentially, while the rate of government spending has increased, the percentage of that spending that the Government pays with tax revenues has stayed the same.

The difference in those two figures is our deficit. These numbers prove that the real cause of the deficit is too much spending, not too few tax dollars. And the Barton amendment is the perfect antidote to this problem. It safeguards the hard earned dollars of America's families from the greedy hand of a bureaucratic government. It makes sure that the taxpayers do not have to subsidize the spending habits of the tax spenders.

The Barton balanced budget amendment will work. Four of the last five major tax increases that this House unfortunately passed did not receive a 60 percent supermajority in the House. If we had had the Barton amendment in place just 2 years ago, President Clinton could never have passed the largest tax increase in this Nation's history.

Opponents of tax limitation say that it goes too far, that it shouldn't be any more difficult to raise taxes than it is to do anything else in this body. To them I respond that holding the line on taxes is one of the most important obligations of this Congress, this new and dynamic 104th Congress. We must do everything that we possibly can to guarantee that the incessant urge of this body to tax is calmed. Tax limitation is not radical, it is necessary. It is

right, and it is a proper antidote to the perennial Congressional sickness of taxing and spending. The American people have spoken. More than 80 percent of the hard working men and women of this great country have balanced their own budgets, and they expect us to do the same. It is now our obligation to act.

I am proud to stand with my colleague from Texas and my friends from across this great Nation who have the courage to cut spending and balance the budget without punishing the already overburdened American taxpayer. I urge full consideration of the balanced budget amendment with the tax limitation included.

I yield to the gentlewoman from California [Mrs. SEASTRAND].

□ 2120

Mrs. SEASTRAND. Mr. Speaker, my constituents elected me to do a job, to pass the agenda I campaigned on and to disagree with legislation that is not good for my district. The tax limitation balanced budget amendment is not only good for my district, it is good for my State of California and it is good for America and it is good for our future.

We have the chance to fundamentally change the way Washington operates. Nothing will change Congress more than to force basic budgetary discipline on Washington.

I want to point out a little-noticed fact about the three-fifths balanced budget amendment. What this amendment does is to let the people speak. No one seems to talk about the fact that after Congress passes this amendment, 38 of our 50 States must approve it. We should let the people speak. Since 49 States already operate under a balanced budget requirement, the American people know this balanced budget requirement will work.

If in our personal lives we are required to balance our budgets, if in our business worlds we are required to balance the books, and if States are required to balance their budget, there is no reasons why we cannot have a balanced budget in Washington, DC.

Because the Barton amendment requires a three-fifths supermajority to raise taxes, our budget would be balanced from cutting spending, not from raising taxes on hard-working American families.

I just ask that we support the Barton amendment, the tax limitation balanced budget amendment.

I thank the gentleman for yielding to me.

Mr. FORBES. Mr. Speaker, I yield to the distinguished gentleman from Texas, [Mr. BARTON].

Mr. BARTON of Texas. I thank the distinguished gentleman. I want to thank him for taking this special order this evening on the eve of the most historic day, in my opinion, in the history of the U.S. Congress.

Tomorrow, when we vote on the tax limitation balanced budget amend-

ment, I think there is a tremendous opportunity to put a halt to the spiraling spending spree that this nation has been on at the Federal level the last 30 to 40 years.

I would like to ask the gentleman from New York and perhaps some of our other colleagues that are here to help me in a little exercise, question and answer.

I would first ask the gentleman if he knew the last time we actually had a federal budget that spending went down from the previous year? Would the gentleman from New York happen to know when that might have been?

Mr. FORBES. I believe it may have been as far back as the Truman administration; is that correct?

Mr. BARTON of Texas. Well, it was not quite that far back, but in 1964, we spent at the Federal level \$118.5 billion. To put that into perspective, last year we spent over \$200 billion just to pay interest on the national debt. But in 1964, the entire Federal budget was \$118.5 billion.

In 1965, while I was a senior at West Junior High School in Waco, TX, playing on the football team and going on my first date and watching the Untouchables on television, things like this, the Federal Government actually spent less money than the year before, \$118.2 billion. So we went down \$300 million that year. That is the last year that federal spending has decreased from the previous year.

In each year since then, 1966, 1967, 1968, all the way down to the current date, Federal spending has increased.

Would the gentleman from New York care to hazard a guess as to the first year the Federal Government spent more than \$200 billion?

Mr. FORBES. I may yield to one of my colleagues. I did not do well on the last question.

Mr. BARTON of Texas. We have the distinguished gentleman from South Carolina, from Arizona, the distinguished gentlewoman from Idaho, from Pennsylvania, would any of these Members care to hazard as to when was the first year the Federal Government spent \$200 billion?

The distinguished gentleman from South Carolina says 1968. That is the year I was a senior at Waco High School in Waco, TX. The actual year was 1971. So it took us from 1964, when we first—1962, when we first broke the \$100 billion spending barrier, to 1971, 9 years, and then we spent \$200 billion.

When do you think we spent for the first time \$300 billion. What year?

Mr. FORBES. 1975.

Mr. BARTON of Texas. 1975 is correct.

Mr. FORBES. Thank you.

Mr. BARTON of Texas. 1975 we spent \$332 billion, for the first time spent over \$300 billion.

When do you think we spent \$400 billion for the first time?

Mr. FORBES. Well, let us try 1978.

Mr. BARTON of Texas. 1978. The exact answer is 1977. I see that the Speaker has arisen.

The SPEAKER pro tempore. (Mr. GEKAS). Only to remind the Members that the gentleman from New York controls the time, so that the yielding has to conform to that pattern.

Mr. BARTON of Texas. I respect the Speaker's ruling. I apologize. I knew better than to violate the rules of the House.

Would the gentleman from New York yield and give me an opportunity to ask a question to the gentleman?

Mr. FORBES. I am glad to yield to my friend from Texas.

Mr. BARTON of Texas. I appreciate the gentleman from New York yielding.

As I pointed out, it took us 9 years to go from \$100 billion to \$200 billion. It took four years to go from 200 billion to 300 billion. It took three years to go from 300 billion to 400 billion. And we first breached the 400 billion barrier in 1977.

When would the gentleman from New York hazard a guess as to when we first spent a half a trillion dollars or \$500 billion? What fiscal year would that be?

Mr. FORBES. Fiscal year 1979.

Mr. BARTON of Texas. Would the gentleman yield for me to answer the question?

Mr. FORBES. Yes, I yield to my colleague.

Mr. BARTON of Texas. I thank the gentleman for yielding. The actual year was 1979. I would think the gentleman may have looked at my notes.

Mr. FORBES. These figures are getting bleaker. Is there any frame of reference that there is a local government that perhaps has gone 30 years or a school district that has gone 30 years without balancing its budget or a State government that consistently has gone that length of time without balancing their budgets?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman will continue to yield, to my knowledge and myself and my staff and the Congressional Research Service and the Heritage Foundation and the Citizens for a Sound Economy and many other conservative think tanks have researched this question. We can find no record of any other State or local entity that has gone that many consecutive years without at least once balancing their budget.

Mr. FORBES. And yet what we are establishing here is that the Federal Government in the greatest Nation on this earth has failed to balance its budget for over 30 years?

Mr. BARTON of Texas. Has not balanced the budget, the Federal Government has not balanced its budget since 1969, as the gentleman pointed out in his remarks.

The point that I am trying to make by this question and answer session is that in every year since 1965, Federal spending has gone up, so that in the

year that we are in now, Federal spending is expected to be \$1.531 trillion. That is a 1,300-fold increase in Federal spending in the last 29 years. In no year has Federal spending decreased. It has gone up.

In the decade of the 1990's, from fiscal year 1990 through the fiscal year that we are now currently in, fiscal year 1995, Federal spending has increased an average of \$65 billion, an average of \$65 billion. That is an annual rate of over 6 percent in an era when the inflation rate has gone up less than 3 percent per year.

So what does this all mean? It means, quite simply, that lack of revenue is not the problem in Washington, DC. The problem is that spending is out of control, increasing at a rate of over \$60 billion a year in the decade of the 1990's, and annual deficits in the \$100 to \$200 billion range. So we need to do something about it, and we need to pass a balanced budget amendment. We need to pass a tax limitation balanced budget amendment, because tax limitation keeps spending under control and forces the legislative body that is accountable to cut spending, not to just spend more money and raise taxes.

□ 2130

Mr. Speaker, if the gentleman would look at the charts to his left, he can see that in the period between 1980 and 1990, in the nine States that had tax limitation provisions in their Constitution or their statutes, that taxes went up in those States a total of 87 percent cumulatively in a 10-year period, but in States that didn't, taxes went up 104 percent. That is a difference of 17 percent.

The States that had tax limitation, spending also went up, but it went up less than in States that didn't have it, 95 percent over the 10-year period versus 102 percent. That is a difference of 7 percent.

That is statistical verification that tax limitation does work. It limits taxes, obviously, and more importantly, it limits spending, and in Washington, DC, that is our problem, limiting spending.

Therefore, tomorrow when we vote on the tax limitation balanced budget amendment, it is very important that we get an affirmative vote, because that is what is the solution to the problem. It is not simply saying "balance the budget," and directly or indirectly putting the emphasis on raising more revenue. We don't need more revenue, we need the fiscal discipline to cut spending, and the tax limitation amendment gives that discipline.

Mr. Speaker, we do have a number of other distinguished Members here, and we certainly need them to have time to speak. I have spoken too long.

Mr. Speaker, I simply want to say I thank the gentleman from New York for his special order, and I say God bless you and the other freshmen in the 104th Congress for coming to the rescue of us senior citizens who have been

fighting this fight so long short-handedly.

Mr. FORBES. I thank the gentleman.

Mrs. CHENOWETH. Mr. Speaker, will the gentleman from New York yield, please?

Mr. FORBES. I am glad to yield to the distinguished gentlewoman from Idaho.

Mrs. CHENOWETH. Mr. Speaker, as I sat here and listened to the debate this evening, I found that our good colleagues from the other side of the aisle just simply don't understand some of the basic economic dynamics that have come into play over the last 30 years, and that is the reason that the call and the mounting movement for the support of the Barton amendment is now in place.

I heard the distinguished gentleman from North Carolina say that borrowing is the American way. Everybody borrows. We borrow money to buy a house, we borrow money to buy a car, we borrow here and we borrow there, so why shouldn't the Federal Government borrow?

I just borrowed money to buy a car, and I engaged in a mutual contract where there were mutual benefits of the bargain. I received a car, and I borrowed money while they, the lender, made money from my borrowing, but it was by mutual consent.

What my distinguished colleagues misunderstand about the basic dynamics of borrowing is the fact that this body, through the public trust, has been entrusted with the ability to tax. That is not lending from the American people, that is taking money by government fiat.

Today the American taxpayer has to spend from January 1 to May 20 just to pay his responsibilities to us because of the power that we have. It is not borrowing. That is a complete misunderstanding.

In fact, today our research shows us that the American people really feel that the Federal Government is a bad investment, that we are using their money as if we were administering a bad charity, where we were taking most of the money for administration, and that is quite true. The services that have been referred to in this body just over the last few minutes sound very good, but the fact is that most of the services are rendered when 80 cents out of every dollar is taken for administration. That is not a good bargain, that is not a good contract.

Mr. Speaker, it was Thomas Jefferson who said so well that it's time that we chain the government and free the people, and that is what the Barton amendment will do. Really, a balanced budget amendment has no substance unless the Barton amendment becomes a reality.

Today this Nation is facing a \$4.7 trillion debt, and we talk in round, pear-shaped tones about \$1 trillion here and \$1 trillion there, and \$100 billion here and \$100 billion there, but we must never forget how big \$1 trillion is.

If we started paying \$1 million a day, day one, year one, and paid \$1 million a day from that time until today, we would still have to pay \$1 million a day seven days a week for 700 more years into the future to reach just \$1 trillion. Today we very easily talk about our debt being \$4.7 trillion. That is the legacy that we are leaving to our children and grandchildren.

I would say to the gentleman from New York, and certainly, Mr. Speaker, the only chain that we can put on the government at this point in time is the Barton amendment. I am very proud to support the Barton amendment.

Mr. FORBES. Mr. Speaker, I would ask the gentlewoman, as we sit here in the bastion of Federal spending, Washington, DC, would the gentlewoman care to venture, based on her conversations with the folks back home, about what their feelings are about putting a tax limitation on the balanced budget amendment?

Mrs. CHENOWETH. If the gentleman will continue to yield, I am receiving hundreds of calls from my State of Idaho in support of the Barton amendment. The President of the United States referred last night in his speech to the fact that there was a shout in 1992 that went across the Nation, there was a shout that went across the Nation in 1994, but he said America isn't singing.

But I will say to the gentleman from New York that America will be singing when we pass the Barton amendment, because only with the Barton amendment will we then begin to see the stability in our tax structure and in our government programs that will free small business and large business; will we be able to give individuals and businesses the ability to anticipate what they will be able to do with their future and their capital.

Mr. FORBES. Mr. Speaker, as I venture around eastern Long Island, where I am from, and talk to small business men and women and average families on my weekend visits home, they tell me increasingly that they do not understand a Washington that feels this compulsion to continue to spend, and does not think about looking in the checkbook to see if there is really any money there.

I think that they would tell us this evening that if the Federal Government started acting like they do and only spent the kind of money that was coming in, as opposed to mortgaging us well into three and four generations out, that they would have more respect for their Federal government and the ways of Washington.

It just causes me to pause here for a moment to wonder why we don't have multitudes rushing to get on board this tax limitation balanced budget amendment and to get it passed as soon as possible. Of course, that is what we are working tonight to encourage.

Mrs. CHENOWETH. If the gentleman will continue to yield, I believe we are seeing this growing dynamic, Mr.

Speaker, outside these halls. The only thing is that is incumbent upon us and our colleagues to have the ears to hear from the American people.

It was not due to so much of an ideologic bent that caused the wave that we saw in the elections in November of last year. I think it focuses to one thing, and that is that a year and a half ago the Congress passed the largest tax increase, an unconstitutional tax increase, in the history of this Nation, and we saw the reaction to that November 8.

Mr. FOX of Pennsylvania. Will the gentleman from New York yield?

Mr. FORBES. I would be honored to yield to my friend, the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Speaker, I thank the gentleman from yielding.

Mr. Speaker, since the 1980's the Democrats in Congress have argued that fiscal discipline, not a constitutional amendment, is needed to balance the budget, but absent a constitutional amendment, Congress has refused to make any progress in balancing the budget. In fact, it has resisted serious efforts to hold the line on reducing spending. Clearly, a constitutional amendment is needed to force Congress to make the tough decisions it has dodged for years. I know that my friends and neighbors in Pennsylvania and in fact all across America feel that same way.

□ 2140

Forty years of deficit spending have got us in that trouble. Like the gentleman from Idaho said, over \$4.7 trillion, and in real dollars that we can relate to, that is \$18,300 for every man, woman and child in America.

You say, "How do we solve this problem?" We solve it by adopting tomorrow, and I hope that everyone will call their Congressman and talk to him about it, or their Congresswoman, and talk about the Barton tax limitation balanced budget amendment. That has teeth, that is the centerpiece of the Contract With America.

It also will have along with it in the next days and weeks ahead, a line-item veto to cut out pork-barrel spending. Unfunded mandates that we have put upon our States and local communities will be eliminated. Welfare reform, we will make sure that we have able-bodied people that do not want to be on welfare back to work. With regulation reform and sunseting Federal agencies, all of those programs together will make sure we have fiscal responsibility here in the United States.

Frankly, those who are here with us tonight on the Republican side of the aisle want to put Congress on a diet and I think that all of the Members of Congress who look at this clearly and carefully, Republicans and Democrats alike, will want to vote for the Barton amendment. It deals with tax limitation as well as balanced budget.

We need to lead by example here in this Congress. States, counties and all

local governments have to live on a budget, a balanced budget. They cannot have deficit financing. Our families cannot have deficit financing. Our businesses cannot have deficit financing. So how can the Federal Government expect others to have their houses in order when we do not have ours? Even the Wall Street Journal has endorsed the Barton tax limitation balanced budget amendment.

This point I think is also important, Congressman FORBES from New York, who has been doing a great job here tonight leading this debate, many organizations have endorsed this proposal: Americans for Tax Reform, United States Chamber of Commerce, Citizens Against Government Waste, National Federation of Independent Business, National Taxpayers Union, Coalition for America, National Association for Manufacturers, Realtors, Homebuilders, and hundreds of other groups.

I am asking my colleagues on both sides of the aisle to do what is best for America, to make sure we get our fiscal house in order, we spend less, we tax less, but we spend on items that the Contract With America talks about, those things that people really need, and eliminate the waste, eliminate the wasteful spending, and let us get America back on track.

I yield back to the gentleman from New York and thank him for taking the leadership role here in this debate tonight.

Mr. FORBES. Would the gentleman yield for some questions here for just a moment, if we could?

Mr. FOX of Pennsylvania. I just want to make sure we preserve time for my friend the gentleman from Arizona.

Mr. FORBES. My concern is that of course in November, the American people took dramatic action and they allowed the Republicans to take control of the House of Representatives for the first time in 40 years. I think the effort here obviously was that they wanted things done differently in Washington.

If the gentleman from Pennsylvania would comment on an overriding concern I have that watching this body for so many years that the naysayers, the doomsayers often tend to win the day when something as dramatic as balancing the Federal budget with a tax limitation is brought to the floor.

Mr. FOX of Pennsylvania. I think we have seen a whole new changing of the President last night in his State of the Union address. It is very clear for the doomsayers; they like to say we are going to cut Social Security. Absolutely hogwash. As you well know, Congressman, the fact of the matter is that Social Security is off the table. All of our senior citizens will be protected. And the fact is that people across America in every single district, in every single State are saying we want a balanced budget amendment and we want the Barton one, the one that is going to call for tax limitations.

People do not want to see wasteful spending. When they see their tax bills, they know that is happening in this Congress. I think people are getting the message all across America. I hope those on the other side listened to what the President said last night about reaching out to America. He saw the result from last November's election and he wants a join us in the Contract With America. Let us get this bill to his desk and get it signed.

Mr. FORBES. I think the gentleman from Pennsylvania.

Mr. SHADEGG. Mr. Speaker, will the gentleman yield?

Mr. FORBES. I yield to the gentleman from Arizona.

Mr. SHADEGG. I thank the gentleman and commend him for his leadership in this fight.

I rise tonight simply to add my voice to those voices that have spoken out.

As I sat back and listened, all too often on this floor we talk in kind of government-speak. We talk about the Barton amendment or the tax limitation amendment. In Arizona when we carried this debate forward, we called it the supermajority amendment. Unfortunately, there are a lot of people back home who perhaps do not understand those terms. But it is really straightforward, and it is important that people understand.

Paul Harvey has said, and I admire him greatly, that self-government without self-discipline does not work. Tomorrow there will be a historic vote on the floor of this House. It is a vote which is focused around that notion. That is, that to preserve self-government, we must institute self-discipline. And what is the form of that self-discipline? It is a change to the United States Constitution. But it is a change that many people in this body I do not believe understand yet and that many people at home may not yet understand.

Oh, they understand that we will vote tomorrow on a balanced budget amendment, and they understand that the Federal Government must balance its budget because they know they have to balance their own budget. And they are very much aware that we are awash in Washington in a sea of red ink that is literally drowning the Nation and threatening our survival.

But this debate tomorrow goes one step beyond that. We cannot simply agree to balance the budget. We must recognize that that alone is not at the root of America's problem. The root of America's problem is that government taxes too much and it spends too much.

I was born in 1949. One year later, the average American family with children paid \$1 out of \$25 in federal taxes. In 1993, just a short year ago, it was \$1 out of every \$4 in taxes.

In 1950, it was \$1 out of \$25. Today it essentially is something in excess of \$1 out of every \$4. We cannot continue on that path.

The tax burden is crushing our families. It is crushing our small businesses. It is crushing our economies.

How many households are required, indeed compelled, to have both spouses work just to have one pay the tax burden for that family? And mind you, and I might remind those on this floor that that \$1 out of \$25 and the \$1 out of \$4 is just Federal taxes. It does not even begin to contemplate the addition of State and local taxes.

What have we gotten for this massive increase in taxes? We have gotten a massive Federal Government which fundamentally fails to do its burden.

Is the crime rate in America lower in 1993 than it was in 1950? Did we buy safer streets with that massive increase in taxes? We did not.

Are welfare recipients in our cities better off? Has the level of poverty in America fallen? It has not. We have failed.

Those who have argued that each problem that comes along simply needs a few more dollars have been proven flat wrong. Government is not the answer. Higher taxes are not the answer.

How then do we stop those taxes? The answer is what Paul Harvey said. It is self-discipline. We need to add to the American Constitution something that is necessary in order to restrict the ability of the people who sit on this floor to continue to tax "you" to pay for what "he" needs, and we need to do that in the form of what has been called in this discussion tonight the Barton amendment, or the supermajority amendment, or the tax limitation amendment.

It is this simple. It says that it has been too easy in America to raise taxes, so we are going to raise the threshold, not from 50 percent, not one-half of the Members of this body plus one, but a slight raise, indeed for me not enough, to a 60 percent requirement to try to institute some discipline.

Those who have gone before me tonight have pointed out that Congress time and again has said that it was going to cut taxes, has said that it was going to cut spending, and it has failed over and over and over again. Without external discipline, it will fail again.

If we enact a balanced budget amendment alone, we may indeed balance our budget, but we will do it at the expense of raising taxes.

The message sent by the people of America on November 8 was clear. It was that we must balance the Federal budget not by tax increases, not by increasing the burden on the backs of the American family who are already over-taxed, but by cutting spending. And the most important step we can take in that direction is to pass a balanced budget amendment with a restriction that says, "You cannot raise taxes again, Federal Government, unless you get 60 percent of the Members of Congress to agree." We need to put that in the Constitution so it is sacrosanct.

Let me briefly conclude by the history in Arizona. Two years ago in Arizona, we fought this battle and we won. We won with citizen support. We took an initiative to the streets. We said to the spenders at the Arizona State capitol, no more.

□ 2150

The Arizona constitution had in it from statehood a balanced budget requirement. But the spenders, those who believe that they can solve every problem facing society just by raising taxes and creating a government program, got carried away and year after year after year, they raised our taxes and increased government spending.

Do you know what they did? They damaged the Arizona economy. It plummeted from one of the best climates in the Nation, with a healthy economy and happy families and a prosperous place to come to an economy where we tax more than the State of Massachusetts and where it was a damaged economy.

So, we said no. We went to the streets with an initiative called "It's Time" initiative, and by a vote of over 70 percent we amended the Arizona constitution to say that there would be no future net increases in Arizona's taxes without a two-thirds majority of the members of the legislature.

We must do that here. We must do it now. I implore those citizens listening tonight to join us in this fight. It is not an initiative, but your voice heard by your Member of Congress tonight or tomorrow that can make the critical difference in this race.

Mr. SALMON. Mr. Chairman, will the gentleman yield?

Mr. FORBES. I yield to the gentleman from Arizona.

Mr. SALMON. Mr. Speaker, I heard a story about a little boy recently who wrote a letter to God, and in that letter he said: "Dear God, please send me \$10." I guess he thought that would be the best way to get the money. And the post office, not knowing where else to send the letter, sent it to the Office of the President. The President thought it was a very cute story, so he decided to send the little boy a dollar.

A couple of weeks later the little boy received the dollar in the mail, and he was very, very disappointed. So he wrote another letter back to God, and this time it said, "Dear God, thank you very much for the money. But as you recall, I asked for \$10. Next time please don't send it by way of Washington. Those folks took \$9 out of the \$10."

I do not think truer words were ever spoken. The fact is, this place taxes too much.

When I was a little boy from a small family of 6 children, my father bringing up his family had to pay roughly about 2 percent of his income to the Federal Government. As Archie Bunker would say, "Those were the days." But now we have taxed our way into oblivion. And what have we got to show for it?

As the previous speaker mentioned, is the crime rate any better, and as a result of the Great Society programs of the 1960's, has our War on Poverty succeeded? With the programs we have instituted here in Washington, DC., have we really made things better or have we made things worse? I would submit we have made things much worse, and that is because of these failed programs. We have taxed and broken the backs of the American people, of the small businesses out there, and it is time to draw some lines in the sand. It is time for us to follow up and to do that thing that Thomas Jefferson regretted not putting in the Constitution, and that is a balanced budget requirement.

We can even go one step better and make it tougher to tax. I cannot fathom how anybody in this body would not want to make it tougher to raise taxes on individuals out there who are struggling to make ends meet. I personally have four children. I consider myself the most average of average people. I came here not a man of wealth, but a man that had to struggle from paycheck to paycheck, and I understand what it is like out there in the real world to try to raise a family. My wife had to work a second job as well just to try to make ends meet, just so that we could pay our debt to Uncle Sam. And frankly, I think my children would be much better off, and so does she, if she would be able to spend a little bit more time at home with them rather than work to pay off Uncle Sam.

If this truly is going to be a family-friendly Congress, and one that cares about people, let us draw that line in the sand. Let us pass the Barton amendment. Let us make it tough to raise taxes.

I live in the same State as Mr. SHADEGG does and served in the State legislature, and let me tell my colleagues, in the 1980's we were fourth in the Nation in per capita tax increases. It seems our answer for solving the problems of Arizona year after year after year was to raise taxes. And finally, when we got some common sense from the people, we, through the initiative process, passed a two-thirds requirement for any tax increase. And you know something, it did not paralyze government. In fact, after 3 consecutive years of decreasing taxes, out of a \$4.5 billion State budget we had a \$800 surplus this year by decreasing taxes.

The same phenomena could happen at the Federal level. But we have to make tough decisions. But the people who elected us, elected me, elected me to come here and fight hard for them, not for government. They elected me to come here to stop spending and fight taxes at the same time, and I intend to do that.

Just finally, I would like to reiterate what my colleague, the gentleman from Arizona [Mr. SHADEGG] did. Please, those who are out there, please,

we implore you, call your Congressman or your congresswoman, ask them, no, demand that they support the Barton amendment. It is crucial to each and every one of us.

Mr. SOUDER. Mr. Speaker, will the gentleman yield?

Mr. FORBES. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I really want to thank the gentleman tonight for pulling this together. I think there is a lot of confusion as to what is going on.

To follow up on what the gentleman from Arizona said, as I campaigned in Indiana, and I was I think in over 40 different parades in the small towns and cities, nobody came out and said, "Hey, MARK, will you see if you can expand the power of the government in Washington? Will you see if you can figure out how to spend more money ought there? And by the way, can you tax me a little bit more?"

That is not what the American people sent us here to do. They sent us here to reduce the size of government and to reduce the burden and to give them control over their lives.

We are saying that in our unfunded mandates. We are saying it in the line item veto, and we are looking at it here in the balanced budget amendment with tax limitations.

This is for your children's future. I have 3 children. I am concerned not so much about myself. A number of my colleagues here have and I have a little bit of gray hair, some a little less than that, and this is not really just about our future. It is about our kids' future and whether we are mortgaging it, and that is both on the tax side and the spending side.

I believe myself that none of the amendments that are coming up are satisfactory. They are not tough enough. There should be a spending limitation that is written in there to protect the taxpayers and the citizens of America. There should be some sort of a penalty if you do not reach a balanced budget.

I am concerned that some of these spending cuts can be illusory, that we will wind up with a deficit. There is no penalty for having that deficit, and it could accumulate.

This does not start until the year 2002. That is putting a lot of faith that we can stand here and get it to that point. So I have a number of concerns with that.

Yet, tomorrow and in the next few days the key thing is not whether we are going to pass a balanced budget amendment, because there is a majority in this body to pass a balanced budget amendment. This is a tax debate, and it is not even all taxes. We are down to income taxes and we are reduced to saying can we not at least have some protection, not a two-thirds protection. You know, if we polled Indiana, they would want 100 percent protection.

At one point I answered a question to one of the newspapers in Indiana. They said, "Would you support a tax increase?" I said, "If we were in war, and if the only way to pay for it was through a tax increase, I might consider a tax increase," because people want the spending reduced. They do not want their taxes raised. And we are down to one little clause, a 60 percent supermajority on the taxes, and we cannot get, it seems, to this point enough to get over the top. We need the people of America to call in, to let their Members know that we need their help, we need their vote or we may get an amendment that will merely lead to illusory budget cuts and certain taxes.

We have been down this road before. It was miserable. We need to stop it. People have lost faith in us, and we need to give them a down payment on faith by passing the Barton amendment.

Mr. FORBES. I thank the gentleman.

Mr. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. FORBES. I yield to my distinguished colleague from South Carolina.

Mr. GRAHAM. Mr. Speaker, do my colleagues not feel like we are at a telethon tonight and we are not asking you to give anything, we are trying to give you money?

Let us really explain what we are talking about here in real terms. Does the gentleman agree with this statement, that if every Republican voted for the Barton amendment we could not get there by ourselves? Does the gentleman agree with that statement?

Mr. FORBES. I do.

Mr. GRAHAM. Will the gentleman yield further for another question?

Mr. FORBES. I yield to the gentleman from South Carolina.

Mr. GRAHAM. Does the gentleman believe that there are 60 Members in the Democratic Party, which in many ways has a great tradition in this country, who believe that the time has come to limit government, to turn over fiscal responsibility back to the States, and that there are 60 Members in that great party that will step up and help us fill the mandate of November 8? Does the gentleman believe there are 65 Members over there that could do that?

□ 2200

I think with the encouragement of the American people that there are certainly 60 of our distinguished colleagues on the Democrat side that would come join us.

Mr. GRAHAM. If the gentleman would yield further, would you agree that it is probably the best thing that could happen for the future of this country, not just in the 104th Congress, but for the 21st century, for two parties with different opinions coming together under one roof, based on the principle that if we continue to spend this way we will bankrupt the American character, and this would really be a way to fulfill what President Clinton said in his State of the Union that we can work together to make this

country better? And we have a historic opportunity and all we need is 60 Democrats who will help us fulfill our mandate. Do you agree with that statement?

Mr. FORBES. I agree with the gentleman on that statement. I think we have proof in 1990 and 1993 where there was a rush to raise taxes that the American people want this body unified, the House of Representatives to act responsibly, and embrace tax limitation, a balanced budget amendment.

Mr. GRAHAM. Thank you.

Mr. FORBES. I yield to my friend, the gentleman from Illinois.

Mr. WELLER. Well, I thank the gentleman from New York [Mr. FORBES], my good friend from Long Island. I want to commend you for your leadership in organizing tonight's discussion of the tax-limitation, balanced budget amendment.

I just came from my office, and I have been receiving phone calls tonight from taxpayers in my congressional district which, of course, is the south suburbs of Chicago, rural areas, industrial communities, probably the most diverse district in the State of Illinois, and I have received a good number of phone calls.

I am glad I answered the phone. Because they were calling in support of the tax-limitation, balanced budget amendment and from those calls, and every one of them were from middle-class average working men and women. They are concerned about the massive deficit and its impact on the future and their children's future, and they point out, or I had three of them point out, they are aware that the average cost today for every man, woman, and child in the 11th Congressional District in Illinois, as throughout this country, is \$18,000 for every man, woman, and child. The average taxpayer is aware of these things.

Congress for far too long has thought that the average taxpayer just did not know. Well, the taxpayers are better informed today.

You know, in the past Congress has said, "Trust us, we will balance the budget. We have got the discipline. We will do it." Well, they have never kept their promise, and they have failed.

One call tonight from a working man from the city of Joliet, an industrial community of about 100,000 in the heart of my congressional district, was frustrated. He is a man who drives a long distance to work, works in industry, and he was frustrated by last year's tax hike which, of course, the administration and the liberal majority in the previous Congress proposed as their solution and imposed it upon the people and the taxpayers in my district as well as yours, and they were aware that that tax increase last year cost the taxpayers in my district \$410 million, \$60 million in higher gasoline taxes which drives up costs for average working middle-class families, just to go to work or go to the store, and \$90

million in higher taxes on Social Security benefits for the senior citizens in my district alone.

Well, that family, as well as others, they have seen their taxes go up, and they have not seen any results in reduction of the deficit or long-term discipline over controlling Congress' historic ability to overspend. They want to be able to afford to go to work and take care of their families' needs, and they want to be able to live comfortably in retirement. They want Congress, they told me tonight, to have Congress to have the discipline and the confidence to cut spending and to oppose higher taxes and, at the same time, protect Social Security.

Today with the passage of the Flanagan resolution, this Congress is on record saying that Social Security is off the table.

THE BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore (Mr. GEKAS). Under a previous order of the House, the gentleman from Texas [Mr. BARTON] is recognized for 60 minutes.

Mr. BARTON of Texas. I yield to the gentleman from Illinois.

Mr. WELLER. Well, you know, thank you. I would like very much to thank the gentleman from Texas for your hard-fought long effort historically to bring this initiative to the floor of the House for debate, and you have worked long and hard to bring a tax-limitation balanced budget amendment, and I just want you to know the phone calls that I have been receiving in my office here in Washington tonight from the taxpayers in my district, they are calling. I had six calls tonight.

Mr. BARTON of Texas. I, too, have received a number of telephone calls, and I had a constituent call my office in Texas today and said, "We want Congressman BARTON to vote for that Barton three-fifths tax-limitation amendment." And my receptionist said, "Well, he is the named sponsor." He said, "Well, you just tell him if he does not vote for it, he is not going to get my vote next year." She said, "Well, I think you can expect the Congressman to vote for his own amendment."

But there may be some people in this Chamber that want to make a phone call to their Congressman and do not know the phone number. The number, if anybody in the Chamber would like to make such a phone call tomorrow, is area code 202, 224-3121, and then just ask for their Congressman, Congressman BARTON, Congressman FORBES, Congressman WELLER, you know, whoever your Congressman happens to be, and you will be put through, and since the vote is going to be at about 11, 11:30, Eastern time tomorrow, those phone calls should come in earlier. If Congressman FORBES wanted to call his own office, he would need to do that before 11:30 tomorrow morning.

I yield back to the gentleman from Illinois.

Mr. WELLER. You are absolutely right. You know, there is nothing I value more than hearing from the folks that I have the privilege of representing, and when I know that I get 10 phone calls from the taxpayers in my district, I recognize that they probably represent a total of 100 voters who agree with them and just did not take the time to make the telephone call. So those telephone calls, I know, are extremely important and, you know, one of the questions that a caller told me tonight is that they say, you know, the Republicans are in the majority now. It is going to be an easy sell. You are going to be able to pass that, are you not? I said, "Well, you realize it takes a supermajority to pass a constitutional amendment like this." We need a bipartisan vote. We need, if every Republican votes for this, we need over 60 Democrats to support us, and I said, "You know, if you have friends that know Democratic Members of Congress that they should call them and support the balanced budget amendment."

It is so very important that they make calls, and I certainly made that point, and again, I want to thank my colleague for his leadership on this issue. It is so important that we give Congress the discipline, the backbone to balance the budget and to resist the temptation to go back to the old ways which is always to raise taxes.

I served in the legislature for the last 6 years in Illinois. We were fortunate to have a balanced budget provision in the State constitution. That was effective in giving those of us who wanted to balance the books the backbone, the discipline, to get the job done before we went home.

However, my State is one of those that unfortunately does not have what we call the tax accountability amendment, and we are still trying to do that in Illinois, which would require a three-fifths vote. We know if you require a three-fifths vote to pass a tax increase, those who would like to push a tax increase know it is going to be much more difficult, and the obvious solution is to cut spending.

Congress needs that discipline. I am proud to cosponsor the Barton amendment, the tax-limitation balanced budget amendment, in the Contract with America, and I certainly am proud to join with you tonight and participate in tonight's discussion on this important initiative which frankly is a historic change on how Washington works.

Mr. BARTON of Texas. I yield to the gentleman from New York if he sought time.

Mr. FORBES. I thank the gentleman. I would say that it is startling to me to listen to this experiment that they had in Arizona, if you will, the notion that they went forward and did the responsible thing, but they did not hold the taxes, and the people of Arizona

unfortunately were the recipients of some bad policy that hurt them over the years, and my concern here is that our Federal taxpayers, our folks back home, understand the urgency of getting to the phones and making sure that Members of Congress understand that they want Congress, while they want them to balance the budget, they do not want them to take the easy way out and increase spending and that they want a balanced budget amendment that does put a lid on the ability to raise taxes.

I know the people on Long Island, we have amongst the highest taxes in the Nation. We have the highest property taxes and sales taxes and Federal taxes to boot, and it is tough on the people of Long Island and our economy is still very shaky there, and people are struggling to hold onto their jobs, and many people do not have jobs. They are looking for them.

The difficulty is to think that you have a Federal Government that just does not quite get it and continues to grow at alarming rates, and the need, I think, across America is understood, the need for a balanced budget amendment, and most particularly the need again, and I cannot stress it enough, the need to make sure that it is a balanced budget that does put a lid on this Congress' ability to just wantonly raise taxes.

□ 2210

Mr. BARTON of Texas. I thank the gentleman from New York and I yield to the gentleman from Indiana.

Mr. SOUDER. I thank the gentleman from Texas.

Mr. Speaker, I have a question. The gentleman from New York [Mr. FORBES] and myself have served as staffers in the other body and have some healthy skepticism. The gentleman from Texas [Mr. BARTON] as a Member maybe could enlighten us a bit. Under the balanced budget amendment, and part of the reason I am sure the gentleman has his tax limitation supermajority in it, is it not possible to have a category that would say with waste and fraud as a deficit reduction?

Mr. BARTON of Texas. In my town meetings, and I am sure as the gentleman begins to do his town meetings, his constituents are going to come and demand that he cut out that waste, fraud, and abuse and cut out pork-barrel spending. The gentleman would say that he will do it and he is going to be a bulldog to do it. The problem is there is no line in the Federal Government's budget that says waste, fraud, and abuse. When you get to a specific program and you say, "Mr. Director, can you tell me where the waste, fraud, and abuse is, in your particular program?" And the director is going to say, "Congressman, there is no waste, fraud, and abuse in my program."

Now, I was a White House Fellow at the Department of Energy in 1981, part of 1982, and was a staff liaison to the Grace Commission that President

Reagan empowered to look for waste, fraud, and abuse in the executive branch of the Federal Government. One of my jobs was to look at all the committees that Department of Energy officials served on. It turned out there were over 300 standing committees that either the Secretary of Energy, Deputy Secretary of Energy, the Assistant Secretary of Energy served on.

So I sent out a questionnaire to everybody who served on these standing committees. I said, "How often do you meet? What are the subjects? Do you think you can do without this committee?"

Not one Assistant Secretary, Deputy Secretary, or Secretary himself wrote back in response to my question and said that the committee was eliminated and did not need to be established. Some of those committees have never met. They had never met, and yet they were not even willing to disestablish any of these intra-agency committees, Department of Energy, Defense, Department of Commerce.

The bottom line, as the gentleman well knows, is we have simply got to put a disciplinary tool in the Constitution that says, "You shall balance the budget." We need to put in that with it, "You shall balance the budget, with the incentive being cutting spending, not raising taxes." That is why the three-fifths' tax increase is so important.

Mr. SOUDER. Mr. Speaker, I am most concerned that most of the agreements that are made wind up with tax increases because the spending cuts are not real.

Is it possible to give another possibility of how this could evolve? While I think the tax increases could be permanent but the spending cuts never occur, a common tactic is to have an asterisk saying, "Specifics will come at a later date." Is it possible under a balanced budget amendment to do that; that is, to have illusory spending cuts but the tax increases be real?

Mr. BARTON of Texas. Mr. Speaker, in order to answer that, it might be illuminatory to explain how the tax limitation balanced budget amendment is actually structured. Section 1 says that the President shall submit to the Congress a balanced budget and Congress shall vote on a balanced budget. It requires that the actual expenditures and receipts be less than the estimates, it requires that in order to increase receipts, there shall be a three-fifths' vote in both bodies in order to borrow money in any fiscal year and in order to increase the debt ceiling there shall be a three-fifths' vote in both bodies.

There is a section that requires that the Congress shall implement the amendment by the appropriate legislature. There is a section that says the amendment shall become effective in the year 2002, or 2 years after requisite 38 States ratify the amendment.

Every effort has been made to close all the loopholes so that in fact the

President will be submitting a balanced budget, the Congress shall be voting on a balanced budget, the actual numbers during the fiscal year cannot exceed the estimates so the magic asterisk that OMB Director David Stockman used as a Director of the Office of Management and Budget for President Reagan in the early 1980's, the magic asterisk has gone away.

Even the unspecified savings that Director Darman, President Bush's Office of Management and Budget, unspecified, to be determined later—he had over \$300 billion in those types of savings—would go away. Under the leadership of the new chairman of the Committee on the Budget, the gentleman from Ohio [Mr. KASICH] and the distinguished leadership of our new Speaker, and, of course, the Senate majority leader, Senator DOLE from Kansas, we are going to present to the American people a true budget that does move us toward a balanced budget by the year 2002. There will be no budget gimmicks, no magic asterisks, no funny money. This is real, it is serious, it starts tomorrow at approximately 11:30 on this floor in this city when we vote to pass the tax limitation balanced budget amendment and send it to the other body. So people in America can call the U.S. Senate.

Mr. SOUDER. I thank the gentleman for his leadership.

Mr. BARTON of Texas. I yield to the gentleman from Arizona [Mr. SHADEGG], and I see the former member of the Gang of Seven a few Congresses ago is back and loaded for bear and is just brimming to speak in the next 3 to 4 minutes.

I yield to the gentleman from Arizona.

Mr. SHADEGG. I thank the gentleman from Texas, and I will be brief.

You know, as I listened to the discussion tonight, it occurred to me it might be helpful if there was a practical explanation of at least how one Member of this body thinks this provision will work day to day. Let me tie into that how we got into the mess we are in now.

Mr. Speaker I am on this floor for the first time. I am a freshman Member of this Congress. I have not served in any public office before. But I did serve a period of 7 years in the Arizona attorney general's office. Then I was hired to advise the Arizona State Legislature.

I sat in on literally hundreds of meetings in those capacities where a member of the Arizona legislature would be present and a constituent or a group of constituents would come forward and they were well-intended, serious, concerned citizens. And they would come forward and explain to the members of the Arizona legislature their dire need, this severe problem this, unmet problem in society which government could solve. In Arizona it was easy for the citizens to get to their legislature and to go and implore their members of the

legislature to help solve this problem with one little program.

That same scene happens here in Washington thousands of times every day. It happens in your office, I suspect, and in my office and the office of every Member who votes on the floor of this Congress. Constituents come in, lobbying groups come in, organizing groups come in and say, "We have a small problem, but it is serious and it needs your help. We need just a little bit of money. It is not a lot of money, but a little bit to solve this very serious problem," sometimes it affects children, sometimes we say it is going to solve a problem that will pollute our society or pollute our Earth. Whatever the reason is, it is always compelling, whoever the advocate is, he is always sincere and well-intended.

But there is something missing in that conversation.

What is missing is the person of the people who have to pick up the tab. They are not sitting there. I often thought as I sat in on those conversations in the members' offices in the Arizona legislature, why not have one more Chair sitting in that discussion, empty, that says, "The Arizona taxpayer"? We ought to have somebody. We are all talking about lobbyists. The President devoted a great deal of time last night to the pressure of lobbyists.

It occurs to me that the people do not have a lobbyist who sits in on that conversation.

So the pressure is there and no one is sitting in that empty chair that I envisioned, saying, "Wait a minute. Who is going to pay for this?"

Well, a supermajority requirement for future tax increases raising the hurdle so that it is not just 50 percent but rather 60 percent would be a structural change which would put essentially that Chair in the room and say, "It may be a good idea, but somebody has got to pay for it, and you have to go get the assent of just a few more people to do that." It is the kind of discipline we desperately need in this body.

I thank the gentleman. I ask if it is possible to join in this conversation briefly with the gentleman from Illinois, my colleague.

Mr. BARTON of Texas. If the gentleman, the distinguished gentleman from Illinois, requests such time yielded to him as he may require.

□ 2220

Mr. SHADEGG. I would like to ask one quick question. I noted that like Arizona—

Mr. BARTON of Texas. The gentleman from Arizona [Mr. SHADEGG] has to ask the question of me, and then we would yield time to the distinguished gentleman from Illinois [Mr. WELLER]. That is the parliamentary triangle that we have to honor.

Mr. SHADEGG. Then let me honor that tradition and ask the question.

I understood from the gentleman from Illinois [Mr. WELLER] that they

have a balanced budget requirement in their State, but they do not have what Arizona now has, which is a supermajority requirement for future tax increases.

Mr. BARTON of Texas. Would the gentleman from Illinois like to have time to answer that question?

Mr. WELLER. I say to my colleagues, "Thank you, thank you very much. I appreciate this opportunity, and I thank the gentleman from Texas for the opportunity to respond to the gentleman from Arizona's question."

As I pointed out in my little brief conversation with my colleagues a few minutes ago, Illinois is a State, of course a great State, and I am proud to represent the State of Illinois, and we have a balanced budget provision in the Illinois constitution. However it only requires a simple majority to pass tax increases, and I served in the Illinois legislature for 6 years, and during that period of time I was actually involved in the appropriations process where I was involved in the spending end of the State legislature, handling the human service appropriations portion of the State budget. It is about half the State budget. We have a State budget of \$34 billion, 10 percent of what would be called the gross State product, which is a big chunk of the Illinois economy, and we wrestled every year.

Of course we have a balanced budget provision which requires we have to balance our books, and all too often at—towards the end of session or at the beginning of session, if we had a hole in the budget where we knew we were short of dollars, all too often particularly certain special interests, and always representing those who want to spend money, would always say to the legislature, "You know, we really need to do the right thing, and you know the right thing is to raise taxes."

Well, they knew that the so-called right thing to raise taxes, which they always argued for, is the easier way out because I guess, if we look at the history of this Congress, it has always been easier for Congress to raise taxes than it has been to cut spending, and I saw how those pressures worked in the State legislature, and rather than cutting spending the special interests would always say, "Why don't you just raise taxes," because, as the gentleman from Arizona pointed out, the taxpayers are not in the room, and that three-fifths provision is the silent partner that the taxpayers need to have in this room when we debate whether or not we should raise taxes.

And let me tell my colleagues, if we have a three-fifths majority in the Constitution as a requirement to pass a tax increase, there has to be a lot of public support, there has to be a real justification, to get those 290 votes to pass the tax increase, and, had we had that provision in Illinois, I can think—during the period of time that I was in the legislature I can think of about half a dozen tax increases that would

not have been passed on the taxpayers of my State.

I think it is so important that we include the tax limitation provision because not only does it protect the taxpayers' interest, act as a silent partner, but it is a reality check. It is going to require a supermajority. The special interests are going to realize that Congress is going to think twice before they raise taxes.

It is time to protect the taxpayers' pocketbooks.

Mr. BARTON of Texas. I thank the gentleman from Illinois.

I would like to point out that the three-fifths requirement for a tax increase would not mean 290 votes in the House. It would mean 262 votes in the House. It is certainly more than 218—

Mr. WELLER. If the gentleman would yield, that is certainly Illinois math. I apologize. It is the end of the evening I guess.

Mr. BARTON of Texas. I might also point out that those who say all that necessary—the only protection that is necessary is protection of a constitutional majority to pass a tax increase—we have researched in the House, and there has not been a tax increase that passed with a minority vote.

Now there have been some that passed on a voice vote, two in the last 30 years that passed by a voice vote, but if it came to a vote, in every occasion obviously it won by getting a majority vote.

So to say that a constitutional majority is sufficient protection against the tax increase on this floor every time a tax increase is passed by rollcall vote, it has had a majority, and in most cases it has had a constitutional majority, which is 218. A simple majority would be maybe 216, if several people were not voting, and traditionally the Speaker does not vote.

But to get real protection against tax increases you do need the three fifths, and, as the gentleman from Arizona pointed out, in many of the States that have tax limitation provisions it is two thirds, and in some it is three fourths. In the President's home State of Arkansas it is a three-fourths vote necessary for a tax increase, so a three-fifths vote, or 60 percent, is certainly stronger than the constitutional majority, but it is by no means as strong as many of the States have in their statutes or their constitutions.

I see that the gentleman from California has approached the rostrum, and I would be happy to yield to him and welcome him back to the 104th Congress.

Mr. RIGGS. I thank the gentleman from Texas [Mr. BARTON] for both his kind comments and his outstanding leadership on this extremely important legislative initiative.

The gentleman just a moment ago referred to—I cannot recall if he said famous or infamous gang of seven, but I can remember standing on this very floor in the wee hours of the morning, actually much later than it is now,

participating with my fellow gang of seven colleagues on the debate regarding the balanced budget tax limitation amendment in the 102d Congress, and I can tell the gentlemen—in fact I frequently relate this story back home, that that was probably my single greatest disappointment from my prior service in this distinguished body.

I recall though on that occasion one of the gang members, who has now gone on to greater heights in the other body as a junior Member from the State of Pennsylvania, holding up at a particularly poignant moment in the proceedings the photographs, little wallet sized snapshots, of his young children who now obviously are a few years older and making the point, as several of my colleagues did earlier, that we are really acting on their behalf and in their interests. We are talking about, of course, the future taxpayers of the United States of America who will inherit this enormous sum and growing debt that we, sad to say, have imposed upon them as a rather dubious legacy, one which, in fact, does indeed mortgage the future and diminish the economic opportunity they and their children will be able to realize.

So, that was a tremendous disappointment, and I also wanted to share with the gentleman that just today I fielded a few calls from the media saying, "Well, why is this really necessary? After all, you in legislative branch have the ability to ultimately adopt and enact a balanced Federal budget."

And I hasten to point out to those particular folks who—frankly they are the skeptics and the pundits who do not face the difficult decisions we will make in the days following our adoption of the balanced budget tax limitation amendment, but I point out to them that of course the Federal Government has the unique ability to make money, print new currency and to borrow more to continue its deficit spending ways.

I also point out to them that history, as the great teacher, shows us that basically anything Congress does can be undone, short of an amendment to the Constitution, and that has clearly been the case in the past, and prior efforts of the Congress, as the gentleman well knows, have been routinely circumvented by this body whether it is sequestration procedures or the Gramm-Rudman Act which effectively gutted over a short period of time but allowing us to continue our spendthrift ways.

The other thing I wanted to point out to the gentleman is that—he obviously knows, and he has been a leader in this body in terms of making this point frequently during this critical debate, and that is that we are not an undertaxed society. We need to make it difficult to raise Federal income taxes and to raise the debt limit.

As my colleagues know, I—again having the distinct honor and privilege of serving in this body before, and taking

a sabbatical away from the body, and now returning—I have a unique perspective on the matters that are deliberated in this body. I reflect back on that prior service, the 50 some odd town meetings I did the width and breadth of my Congressional District over that two year period, and I cannot recall a single occasion when a constituent came up and said “you know, Congressman, we really are an undertaxed society, and I would like to pay more taxes.”

□ 2230

To the contrary, as the gentleman well knows, with 42 percent of our economy going to some taxing authority or another, 21 percent of that, I believe the numbers are roughly, or about 19 percent of that, rather, is going to the Federal treasury, and we are spending the equivalent of about 21 percent, and, of course, running these enormous deficits. But with 42 percent of our \$6 trillion economy going to the taxing authorities, we are not an undertaxed economy. Furthermore, we have received a clear mandate from the American people to cut spending and taxes as well. In order to do that, the first step is clearly the gentleman's balanced budget and tax limitation amendment.

The other point I wanted to share with the gentleman is a few weeks ago I had the opportunity to go up to Baltimore. I obtained an invitation to go up and, actually a first for me, observe a focus group being conducted by a well-known research group, and it was quite an eye opener.

The purpose of this particular focus group, which we were able to observe through a one-way mirror, was to watch as ordinary Americans, and these were actually I believe above average in terms of their educational and economic backgrounds, but to watch the proceedings as they attempted to go through one of these exercises involving balancing the Federal budget.

They were provided I think with a three or four page list of all the discretionary spending items in the Federal budget and then asked to make specific programmatic spending cuts by going down that list. And after two hours of discussion, they had not agreed on a single specific spending cut, illustrating the difficulty of our challenge ahead. They were able, after another hour or so of conversation, to finally agree on across-the-board spending cuts, which is frankly something we are going to have to consider in this body I think in order to meet our mandates and in order to comply with the balanced budget tax limitation amendment.

But it was a very revealing experience for me and a very sobering drive back from Baltimore to the Capitol as a result.

But in the course of that conversation, one of the folks in the room said “if we all ran our personal finances like the government, we would all be bankrupt,” reminiscent of the wonder-

ful movie “Dave,” where the accountant is brought in to look at the Federal Government's books, and said, “Who did these books? If I did my books like this, I would be out of business.” The point being that, you know, the time has come to impose some very real constraints, a sense of restraint on what we do back here with the Federal taxpayers' dollars.

Previous attempts short of the constitutional amendment approach have not worked. It is very clear that in enacting the constitutional amendment, the balanced budget requirement, we have to create, as the gentleman has put it, a disincentive for raising income taxes.

So I commend the gentleman, and urge him on in his efforts tomorrow, which I fully intend to support on this floor, in the hope that ultimately we will do the right thing and we will show to the American people at the conclusion of the debate tomorrow by our votes as we stand and ultimately become accountable that we really did get the message from the voters last November, and that we really are serious about rearranging and ultimately reducing the size, the scope, and the cost of the Federal Government.

Mr. BARTON of Texas. I thank the gentleman from California, and again cannot express in the most positive terms how delighted we are to have him back serving with great distinction in the body.

The hour is getting late. I would be happy to recognize the gentleman from South Carolina for some brief remarks, so we may hopefully soon conclude.

Mr. GRAHAM. I was very intrigued by the gentleman from California's comments there. I think they are right on point, especially the comment from the constituent or the lay person that said if we ran our affairs like you do up here, we would be bankrupt.

Would the gentleman agree that if the American public ran their affairs like we do up here, that they would go to jail?

Mr. BARTON of Texas. I would agree with that in a fiduciary sense. No co-operation in America could utilize its assets and abuse its borrowing privileges like we have here in Washington the last 30 to 40 years.

Mr. GRAHAM. The essence of this debate I think comes down to this point: During your dissertation a while ago you made some very important points that I didn't realize, that I believe you said for the first time 30 years ago, in 1964 and 1965 era, that the entire Federal budget was less than \$200 billion. Is that correct?

Mr. BARTON of Texas. We reached the \$100 billion spending mark at the Federal level in 1961 or 1962, and in the current fiscal year, it is expected we will expend just for interest on the national debt, over \$225 billion. So we now pay more in interest than the entire Federal budget was in the early 1960's.

Mr. GRAHAM. I believe the gentleman stated further that during that period of time the national defense sector spending has increased by 1300 percent.

Mr. BARTON of Texas. Thirteen hundred percent since 1964. This year we are expected to spend \$1 trillion, which is 1 thousand billion, \$531 billion. Those numbers are from President Clinton's Office of Management and Budget. Those are not the Republican numbers, but the official budget numbers of the President of the United States.

Mr. GRAHAM. Would the gentleman agree with that tendency in place, the ability to spend far more than we make and it is escalating at monumental proportions, that if there ever was a time to have a three-fifths majority vote it is now, and could you comment on the likelihood of balancing the budget with tax increases if we don't have the three-fifths majority?

Mr. BARTON of Texas. If the gentleman would yield on that point, in the early 1980's, then President Reagan accepted a tax increase with the understanding for every dollar of taxes that were increased, there would be \$2 of spending cuts. Well, we got the tax increase, but we got \$1.58 of spending increase for every dollar of tax increase.

We have researched that back to the mid 1940's. And in no year have we seen when a tax increase was passed, that the next year the spending cuts materialized. In the time that I have been in the Congress, and I was elected in 1984 and sworn in in 1985, we have eliminated in its entirety one Federal program, the Urban Development Action Grant Program.

Now, we have reduced some in real terms, but in every year Federal spending in the aggregate has gone up, and it has averaged over \$50 billion a year increase in the time I have been in the Congress. And in the nineties it has averaged over \$65 billion a year. I don't know about the gentleman from South Carolina or the gentleman from New York or California or Indiana, but in my family household, if I had an extra sixty or seventy billion dollars a year, I believe I could get by. I believe I could make it. And yet we talk and talk and talk about making the tough choices and cutting spending. The reality is in almost every case in Washington, that is a phony game. We take the baseline, adjust it for inflation, adjust it for growth, adjust it for unanticipated consequences that may never occur, and then say that is what we would really like, but we will take 10 percent less than that, and they end up with 10 or 15 percent more than they had the year before.

There have been years when the average Federal program had a net increase after inflation and after growth in the economy of over 13 percent. Yet we still cry out about needing more revenue. That is simply not the case.

I am going to conclude this special order, if none of the other distinguished gentleman wishes time, by

simply stating the obvious: Tomorrow is a historic occasion. For the first time in over 200 years, we have a real opportunity to amend the Constitution of the United States to require a Federal balanced budget, and to do so in a way that we would cut spending and not raise taxes by adding a three-fifths requirement for a tax increase.

□ 2240

Thomas Jefferson, one of our founding fathers, the author of the declaration of independence, rued the fact that when the constitution was adopted in 1787, it did not have a requirement that the budget be balanced. In the modern era, it is, I think, factual to state that if we do not amend the constitution to require a balanced budget, we will never have a balanced budget.

When our current President's economic advisors state that there is not even an attempt to get to a balanced budget and that balanced budgets do not count and that under the most rosy scenario, the budget deficit begins to climb next year and climb to infinity after we get to the millennium in the year 2000, it is absolutely imperative that we act now.

This dialog, colloquy that we have had this evening on the House floor is not an exercise in academic opportunism. We are going to vote on the constitutional amendment to require a balanced budget with a tax limitation provision tomorrow morning between 11 and 12 o'clock Eastern Standard Time. And if 290 Members of this body vote in the affirmative, we will have passed it. If less than 290 vote in the affirmative, we will have 4 other amendments that are made in order and whichever of those 4 gets the majority vote will be the vote on final passage for the two-thirds requirement sometime early tomorrow evening.

This colloquy this evening on the House floor has the potential to go down in history as the most important colloquy that has ever been heard in this chamber in terms of fiscal responsibility. It is not of the same significance as declarations of war, which we have had in the early 1940's and some of those types of debates, but in terms of fiscal responsibility and our children's future to have the same type of economic opportunity that we have had, it is important.

If the American people agree with the distinguished Members that have participated with us this evening of its importance and if they take advantage of the opportunity to express their serious demand that we pass the tax limitation balanced budget amendment, we will do so.

I want to thank the gentleman from New York for having the first special order and the gentleman from Indiana and the gentleman from South Carolina and the gentleman from California and all the other distinguished gentlemen and gentlewomen that have participated this evening and simply ask that they really search their consciences and come prepared tomorrow

to exert every effort in a positive way to pass this historic amendment.

THE LINE-ITEM VETO

The SPEAKER pro tempore (Mr. GEKAS). Under the Speaker's announced policy of January 4, 1995, the gentleman from Wisconsin [Mr. BARRETT] is recognized for 15 minutes. (Mr. BARRETT of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Wisconsin. Mr. Speaker, I come before the House and I welcome my new colleagues on the other side of aisle who are here tonight and I ask them to stay so perhaps we can listen to some of the comments I want to make on the important issue that we are going to be facing in the next two weeks, which is the line item veto.

I am a supporter, Mr. Speaker, of the line item veto, because I think it is an important tool that the President should have to help us control the runaway spending that we have seen in this country over the last 30 years.

But I am very troubled by what I have seen in the committee that I serve on, the Government Reform Committee, by what is occurring there, because I think that the Government Reform Committee, under the new leadership of the Republican party, is only dealing with half the problem.

The problem that the new leadership is dealing with is the problem of spending, pork barrel spending in appropriations bills that I believe should be taken out.

I think that the President should have the authority with the line item veto to remove pork barrel spending from appropriation items.

I also feel very strongly, though, Mr. Speaker, that the President should, in addition to having the power to remove pork barrel spending, that the President should have the additional power to remove tax expenditures or special tax breaks that are given through our Tax Code as well.

This is not a new concept. In fact, because I am relatively new in the House, I thought it would be smart for me to draw on some expertise of far more learned Members of this House to try to come up with the language to make sure that the people in this body do not use our Tax Code to create what are in essence tax expenditures and lowering the amount of money we have in our treasury and increasing the size of our national deficit and our national debt through the Tax Code.

So the perfect person to call on in order to come up with the exact language is the former minority leader, Mr. Michel, a person who was very well respected throughout this institution, who also was very concerned with this issue.

He raised this issue last year in the expedited rescissions bill that we considered. Actually it was in 1993, as I recall, but he was concerned with this

provision as well, this issue as well. So he created an amendment that he offered to the House that made it possible for the President of the United States to also use his line item authority to get rid of targeted tax breaks.

I would like to spend several minutes, if I could, reading from his testimony or his colloquy on the floor because I think it was very powerful, and unfortunately, I think that the Members of his own party today in our committee ignored his very own advice, even though the Republican Members of this House unanimously supported his amendment when he offered it just a short time ago.

Now I am reading verbatim from Mr. Michel's statements which were given on this floor not long ago.

Mr. Chairman, I rise today to offer my amendment to the real legislative line item veto proposal offered by my colleagues. My amendment adds an additional dimension to the debate. Should the President be allowed to strike special interest tax provisions from tax bills in addition to appropriations from appropriation bills? I believe that the President should be given this additional authority.

I am amazed and obviously very gratified that this issue has gained so much momentum. I began the drumbeat earlier this year after seeing the number of special interest tax provisions contained in last year's tax bill, H.R. 11. That bill was vetoed by President Bush due to the sheer weight that it gained through the legislative process here in Congress.

As you know, that bill initially was the vehicle for the enterprise zone provisions in response to the Los Angeles riots.

By the time it was on the President's desk, it was a huge bill containing over 50 special interest provisions. My understanding is that the cost of the special interest provisions exceeded the cost of the supposed cornerstone of that bill, the enterprise zone provisions that we all thought was the real reason for our having considered that particular tax bill.

Several weeks ago during initial consideration of this matter, a group of freshman Members on the Democratic side of aisle asked that an amendment be made in order to the base bill that included presidential authority to repeal tax expenditures. There was also an effort by members of the Committee on Appropriations to give the President such authority. They, like myself, have been precluded from raising the tax issue in the base bill.

Now, you are going to hear several arguments why you should not vote for this amendment. You will hear that it is uncertain what I mean by the term 'targeted tax benefits.' Well, I can assure you I know one when I see one, and so do you. I am talking about special interest tax items, tax pork, tax loopholes, tax carve-outs, Members' projects, special tax exemptions, et cetera, et cetera.

I am talking about tax goodies, the kind of things that insiders get in abundance and the regular taxpayers get in the neck.

I am talking about a wind and a nod and a nudge and all the other political insider body language that says, give me a break because I am somebody special.

There are big, big bucks associated with these sweetheart tax provisions, believe me. If you agree that the President should not be held hostage to special interests and tax bills as well as appropriation bills, then support

my amendment today. When we see that whopping big tax bill coming down the pike later this year, you better believe that it is going to be loaded with lots of tax goodies, if it is going to get any mileage in either one of the bodies of the Congress.

In order to get the votes to pass it, I can assure you, as I said, that members of the committee, particularly the chairman, are going to be under immense pressure to do just these kind of things that ought not to be done. My amendment would add some accountability in the tax area as is provided in the appropriation area.

The second argument that you will hear against my amendment is that it raises constitutional questions. Well, when these constitutional questions arose during my testimony before the Government Operations Committee, I contacted a well-regarded constitutional expert, Mr. Bruce Fein, for his opinion on the matter.

□ 1050

Mr. Speaker, I would like to quote from a March 16 letter that I have received from him relative to the bill that I introduced. This is what he said:

The purpose of the President's targeted tax authority is unquestionably legitimate, to assist in attacking ballooning budget deficits. The method is plainly adapted to that end, enabling the President to veto only the mischievous portions of a revenue bill that he might otherwise sign because of offsetting attractions.

The authority does not usurp legislative power. Congress may override a targeted veto. Further, at any time it may, by legislation, rescind the President's targeted veto power. Moreover, insofar as the bill delegates legislative revenue power to the President, it contains sufficient standards to guide the exercise of delegation to pass constitutional muster.

Now on these grounds, I believe that I have a legitimate legal and constitutional basis upon which to offer my amendment.

Mr. Speaker, I would like to reiterate once more that I believe the President of either party should have the option to get at special interest provisions in both appropriations and tax bills. It is a good management tool, both on the appropriations side and on the tax side.

It is not one of those issues, quite frankly, that divides along political lines. I have heard Members in the earlier debate mentioning, conservative Members on my side who have an absolute opposition to a line item veto, and I respect them for their feelings on that score.

People ask me, "BOB, why would you give up your legislative authority to an all-powerful Chief Executive?" I will say, "Because we have loused it up here in the Congress. That is why." If 43 Governors have the power to use to good advantage, then why should we not give it to the President of the United States?

When Jimmy Carter was President I said, "If you don't want to give him authority for a complete line item veto, give him at least authority to reduce items by some arbitrary figure—10, 15, 50 percent—if you want to hold on jealously to your power."

But it is a management tool to try and save some bucks around here, and

I am willing to give that to President Clinton, President Carter, as I proposed earlier, and yes, certainly my own President. I do not want to hamstring any President to the degree that they would not have their kind of ability to use a good management tool that 43 of our Governors are currently using to their advantage.

Again, I continue to read from Mr. Michel's statement, and I think the next paragraph is important:

Quite frankly, if you are for special interests, then vote against my amendment. If you are for a more complex tax code, then vote against my amendment. Now, if you believe that the President should not be held hostage to special interests, then I say vote for my amendment today. It will make a better piece of legislation.

Mr. Speaker, I read this to you because I think it is very important as we prepare for the debate on the line item veto that we do not forget the problem of tax expenditures. Quite frankly, the bill that is moving through this House at lightning speed does not deal sufficiently with the issue of tax expenditures.

Let me tell you how the bill deals with it. As originally drafted, it said the President would have the authority to line item a tax expenditure if the number of people who benefitted from it were fewer than five.

That is ridiculous, because many of these tax expenditures apply to corporations, apply to individuals, and with 260-plus million people in this country, you are not going to have a tax provision that is going to only apply to fewer than five people. In committee today we raised that to 100, which I still think is woefully inadequate.

In fact, the gentleman from Pennsylvania [Mr. CLINGER], who is the chairman of our committee, last year testified or spoke on the floor in support of the amendment of the gentleman from Illinois [Mr. Michel], and he said:

I agree with the Minority Leader that it is important that the President be able to single out both excessive and unnecessary spending, and special sweetheart tax provisions, for an individual vote. Often such provisions are buried in large bills and Members may not even be aware of each of these individual provisions when they vote on a nonmiscellaneous bill.

The American people hear of these special tax giveaways only after they take effect, and they are outraged at the arrogance of Congress to give special deals to special friends. A meaningful way to strike these provisions from omnibus tax bills is one way for the government to reclaim the respect of the American people.

That is what he said last session, in support of this very amendment that today was voted down in the Committee on Government Reform and Oversight.

So what is going on here? Why do we have this sudden change in the treatment of tax expenditures, now that the Republicans are in the majority?

I hope I am wrong, Mr. Speaker, I sincerely hope I am wrong, but my fear

is that although the Republicans are quick to say "Let's get rid of the pork barrel spending projects in Members' districts," which I agree with, and that is why I support the line item veto, that they are very hesitant to say, "Let's get rid of special tax breaks for wealthy individuals."

I think if we are going to have a complete bill, an honest bill, a bill that we can all be proud of to take home to our constituents, that it is imperative that we follow what the Members of the now Majority party were pushing two years ago: that we include in this bill real power for the President to get rid of these special tax breaks.

To do so I think is going to require some courage on the part of Members of the other side of the aisle, who thus far this session have not shown any willingness to vote independently from the leadership. However, I think they can do it.

I think if we are serious about the deficit, and we just heard four or five Members talking about the deficit and the debt, that this is another tool that we have to have, so I would ask the Members of this body, and in particular those who look at this issue, to reconsider their assistance.

I will be presenting this, along with other Members, to the Committee on Rules, and ironically, looking at the Committee on Rules, the makeup of the Committee on Rules, 9 of the 12 members on the Committee on Rules voted for this amendment last year. As the gentleman from Illinois [Mr. Michel], indicated, it crossed party lines. This is not a partisan issue, it is a bipartisan issue, and it should have bipartisan support.

RULES OF PROCEDURE FOR THE COMMITTEE ON COMMERCE FOR THE 104TH CONGRESS

(Mr. BLILEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLILEY. Mr. Speaker, pursuant to the requirements of clause 2 of rule XI of the Rules of the House of Representatives, I hereby submit for publication in the CONGRESSIONAL RECORD the rules of the Committee on Commerce for the 104th Congress, as adopted by the committee in open session on January 10, 1995.

RULES FOR THE COMMITTEE ON COMMERCE

RULE 1. GENERAL PROVISIONS

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Commerce (hereinafter "the Committee") and its subcommittees so far as is applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebateable motions of high privilege in the Committee and its subcommittees.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent

with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2. TIME AND PLACE OF MEETINGS

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his direction, cancel, delay or defer any meeting required under this section, after consultation with the ranking minority member.

(b)(1) *Additional Meetings.* The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(b)(2) *Special Meetings.* If at least three members of the Committee or subcommittee (which is applicable) desire that a special meeting of the Committee or subcommittee (whichever is applicable) be called by the chairman or subcommittee chairman, those members may file in the offices of the Committee their written request to the chairman or subcommittee chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the chairman or subcommittee chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the chairman or subcommittee chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee or subcommittee (whichever is applicable) may file in the offices of the Committee their written notice that a special meeting of the Committee or subcommittee (whichever is applicable) will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee or subcommittee (whichever is applicable) shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all members of the Committee or subcommittee (whichever is applicable)—that such meeting will be held and inform them of its date and hour and the measure or matter to be considered and only the measure or matter specified in that notice may be considered at that specified meeting.

(c) Vice Chairman; Presiding Member. The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

(d) Open Meetings and Hearings. Each meeting of the Committee or any of its subcommittees for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public including to radio, television and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House. This paragraph does not apply to those spe-

cial cases provided in the Rules of the House where closed sessions are otherwise provided.

(e) Regular Meeting of the Chairmen. At least once a month, the chairman shall convene a meeting of the chairmen of the subcommittees. The purpose of the meeting will be to discuss issues pending before the Committee and the procedures for Committee and subcommittee consideration of such matters. This discussion may include, among other items, the scheduling of hearings and meetings, questions of subcommittee jurisdiction, and the conduct of joint subcommittee hearings.

RULE 3. AGENDA

The agenda for each Committee or subcommittee meeting (other than a hearing), setting out the date, time, place, and all items of business to be considered, shall be provided to each member of the Committee by delivery to his or her office at least 36 hours in advance of such meeting.

RULE 4. PROCEDURE

(a)(1) The date, time, place, and subject matter of any hearing of the Committee or any of its subcommittees shall be announced at least 1 week in advance of the commencement of such hearing, unless the Committee or subcommittee determines in accordance with such procedure as it may prescribe, that there is good cause to begin the hearing sooner.

(2)(A) The date, time, place, and subject matter of any meeting (other than a hearing) scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session, shall be announced at least 36 hours (exclusive of Saturdays, Sundays and legal holidays) in advance of the commencement of such meeting.

(B) The date, time, place, and subject matter of a meeting (other than a hearing or a meeting to which subparagraph (A) applies) shall be announced at least 72 hours in advance of the commencement of such meeting.

(b) Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or a subcommittee, at least 2 working days in advance of his or her appearance, 75 copies of a written statement of his or her proposed testimony and shall limit his or her oral presentation to a brief summary of the argument, unless this requirement, or any part thereof is waived by the Committee or subcommittee chairman or the presiding member.

(c) The right to interrogate the witnesses before the Committee or any of its subcommittees shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. While the Committee or subcommittee is operating under the 5-minute rule for the interrogation of witnesses, the chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee or subcommittee, as the case may be.

(d) No bill, recommendation, or other matter reported by a subcommittee shall be considered by the full Committee unless the text of the matter reported, together with an explanation, has been available to members of the Committee for at least 36 hours. Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to

present law, and a summary of the need for the legislation. All subcommittee actions shall be reported promptly by the clerk of the Committee to all members of the Committee.

(e) Opening statements by members at the beginning of any hearing of the Committee or any of its subcommittees shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members.

RULE 5. WAIVER OF AGENDA, NOTICE, AND LAYOVER REQUIREMENTS

Requirements of rules 3, 4(a)(2), and 4(d) may be waived by a majority of those present and voting (a majority being present) of the Committee or subcommittee, as the case may be.

RULE 6. QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. In the case of a meeting other than a hearing, the number of members constituting a quorum shall be one-third of the members of the Committee or subcommittee, as the case may be, except that a matter may not be reported by the Committee or a subcommittee unless a majority of the members thereof is actually present.

RULE 7. PROHIBITION AGAINST PROXY VOTING

No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

RULE 8. JOURNAL, ROLLCALLS

(a) The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting, and include a record of the votes on any question on which a record vote is demanded and a description of the amendment, motion, order or other proposition voted. A copy of the journal shall be furnished to the ranking minority member. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a rollcall shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum. The result of each rollcall vote in any meeting of the Committee shall be made available in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House.

(b) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the rule.

RULE 9. FILING OF COMMITTEE REPORTS

If, at the time of approval of any measure or matter by this Committee, any member or members of the Committee should give notice of an intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 3 calendar days (exclusive of Saturdays, Sundays, and

legal holidays) in which to file such views in writing and signed by that member or members with the Committee. All such views so filed shall be included within and shall be a part of the report filed by the Committee with respect to that measure or matter.

RULE 10. SUBCOMMITTEES

There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

RULE 11. POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings wherever possible.

RULE 12. REFERENCE OF LEGISLATION AND OTHER MATTERS

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction immediately unless, by majority vote of the members of the Committee within 5 legislative days, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

RULE 13. RATIO OF SUBCOMMITTEES

The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

RULE 14. SUBCOMMITTEE MEMBERSHIP

(a) The majority party members of the standing subcommittees shall be selected by a process determined by the majority party members. The selection of majority party members of the standing subcommittees shall be conducted at a meeting of the majority party caucus of the Committee held prior to any organizational meeting of the Committee.

(b) The minority party members of the standing subcommittees shall be selected by a process determined by the minority party members. The selection of minority party members of the standing subcommittees shall be conducted prior to any organizational meeting of the Committee.

(c) The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each sub-

committee of which they are not assigned as members.

RULE 15. SUBCOMMITTEE CHAIRMEN

(a) The chairman shall nominate a slate of chairmen for the standing subcommittees. The chairman's slate shall be subject to approval by a majority of the majority party caucus of the Committee. If the chairman's initial slate is not approved by a majority, the chairman shall present an alternative slate of nominations until a slate is approved by a majority of the majority party caucus.

(b) The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

(c) The chairman of the Committee may make available to the chairman of any subcommittee office equipment and facilities which have been provided to him and for which he is personally responsible, subject to such terms and conditions as the chairman deems appropriate.

RULE 16. COMMITTEE PROFESSIONAL AND CLERICAL STAFF APPOINTMENTS

(a) Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 6 of Rule XI of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with the subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Professional staff members appointed pursuant to clause 6 of Rule XI of the House of Representatives, who are assigned to the ranking minority party member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) In addition to the professional staff appointed pursuant to clause 6 of Rule XI of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Any contract for the temporary services or intermittent services of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

RULE 17. SUPERVISION, DUTIES OF STAFF

(a) The professional and clerical staff of the Committee not delegated to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

RULE 18. COMMITTEE BUDGET

(a) The chairman of the Committee, after consultation with the ranking minority member of the Committee and the chairmen of the subcommittees, shall for the 104th Congress prepare a preliminary budget for the Committee, with such budget including necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, and which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight. Such budget shall be presented by the chairman to the majority party caucus of the Committee and thereafter to the full Committee for its approval.

(b) The chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. No proposed Committee budget may be submitted to the House Committee on Oversight unless it has been presented to and approved by the majority party caucus and thereafter by the full Committee. The chairman of the Committee may authorize all necessary expenses in accordance with these rules and within the limits of the Committee's budget as approved by the House.

(c) Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the House Committee on Oversight, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

RULE 19. BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of Rule XI, clause 3 of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by him in accordance with the Rules of the House.

RULE 20. COMPTROLLER GENERAL AUDITS

The chairman of the Committee is authorized to request verification examinations by the Comptroller General of the United States pursuant to Title V, Part A of the Energy Policy and Conservation Act (Public Law 94-163), after consultation with the members of the Committee.

RULE 21. SUBPOENAS

The Committee, or any subcommittee, may authorize and issue a subpoena under clause 2(m)(2)(A) of Rule XI of the House of Representatives, if authorized by a majority of the members voting of the Committee or subcommittee (as the case may be), a

quorum being present. The chairman of the Committee may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the chairman, authorization and issuance of the subpoena is necessary to obtain the material set forth in the subpoena. Subpoenas may be issued over the signature of the chairman of the Committee, or any member of the Committee authorized by such chairman, and may be served by any person designated by such chairman or member. The chairman shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable but in no event later than 1 week after service of such subpoena.

RULE 22. TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) The purpose of the travel; (2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) The location of the event for which the travel is to be made; and (4) The names of members and staff seeking authorization.

(b) In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matter under the legislative assignment of such subcommittee to be paid for out of funds allocated to such subcommittee, prior authorization must be obtained from the subcommittee chairman and the chairman. Such prior authorization shall be given by the chairman only upon the representation by the applicable chairman of the subcommittee in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

(c) In the case of travel by minority party members and minority party professional staff for the purpose set out in (a) or (b), the prior approval, not only of the chairman but also of the ranking minority party member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority party member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP (at the request of Mr. GEPHARDT) for today, on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MILLER of California) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.
Mrs. LINCOLN, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. MENENDEZ, for 5 minutes, today.
Ms. ESHOO, for 5 minutes, today.
Mr. STUPAK, for 5 minutes, today.
Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. DE LA GARZA, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.
Mr. BECERRA, for 5 minutes, today.
Mrs. THURMAN, for 5 minutes, today.
Ms. MCKINNEY, for 5 minutes, today.
Mr. KILDEE, for 5 minutes, today.
Mr. PASTOR, for 5 minutes, today.
Mr. CLAY, for 5 minutes, today.

(The following Members (at the request of Mrs. CHENOWETH) to revise and extend their remarks and include extraneous material:)

Mr. DORNAN, for 5 minutes, on January 26.

Mr. GRAHAM, for 5 minutes, today.
Mr. RIGGS, for 5 minutes, today.
Mr. KINGSTON, for 5 minutes, today.
Mr. BLILEY, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. LOBIONDO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MILLER of California) and to include extraneous matter:)

Mr. LANTOS.
Mr. DINGELL.
Mr. TOWNS.
Mr. NEAL.
Mr. KANJORSKI.
Mr. HAMILTON in three instances.
Mr. WILSON.
Mr. UNDERWOOD in two instances.
Ms. JACKSON LEE.
Mrs. KENNELLY.
Mr. SKELTON.
Mr. MINETA.
Mr. JACOBS.
Ms. SLAUGHTER.
Mr. TOWNS.
Mr. REED.
Mr. MARTINEZ.
Mr. SERRANO in three instances.

(The following Members (at the request of Mrs. CHENOWETH) and to include extraneous matter:)

Mr. FIELDS of Texas.
Mr. DAVIS.
Mr. DICKEY.
Mr. FRANKS of New Jersey.
Mr. QUINN.
Mr. PACKARD.
Mr. COX.
Mr. GALLEGLY.

Mr. THOMAS of California.

Mr. FAWELL.

Mr. BARR.

(The following Members (at the request of Mr. BARRETT of Wisconsin) and to include extraneous matter:)

Mr. PAYNE of New Jersey.
Mr. FORBES.
Mr. TAUZIN.
Mr. MCINNIS.
Mr. OLVER.
Mr. BARR.

ADJOURNMENT

Mr. BARRETT of Wisconsin. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 26, 1995, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

195. A letter from the Under Secretary of Defense—Comptroller, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Army, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

196. A letter from the Under Secretary of Defense—Comptroller, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Army, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

197. A letter from the Assistant Secretary for Economic Security, Department of Defense, transmitting the strategic and critical materials report during the period October 1993 through September 1994, pursuant to 50 U.S.C. 98h-2(b); to the Committee on National Security.

198. A letter from the Acting Director, Office of Thrift Supervision, transmitting information on changes in district offices; to the Committee on Banking and Financial Services.

199. A letter from the Comptroller General of the United States, General Accounting Office, transmitting the Comptroller General's 1994 annual report, pursuant to 31 U.S.C. 719(a); to the Committee on Government Reform and Oversight.

200. A letter from the Chairman, Agriculture and Transportation Barriers Compliance Board, transmitting the 1994 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Reform and Oversight.

201. A letter from the Co-Chairman, Appalachian Regional Commission, transmitting the semiannual report on activities of the inspector general for the period April 1, 1994, through September 30, 1994, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Reform and Oversight.

202. A letter from the Executive Secretary, Barry M. Goldwater Scholarship, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to

the Committee on Government Reform and Oversight.

203. A letter from the Chairman, Consumer Product Safety Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

204. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

205. A letter from the Deputy Secretary of Defense, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

206. A letter from the Administrator, Environmental Protection Agency, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

207. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

208. A letter from the Chairman, Farm Credit Administration, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

209. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

210. A letter from the Chairman, Federal Communications Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

211. A letter from the Chairman, National Transportation Safety Board, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

212. A letter from the Director, Office of Personnel Management, transmitting the Office's report on its health promotion and disease prevention activities for Federal civilian employees; to the Committee on Government Reform and Oversight.

213. A letter from the Administrator, Panama Canal Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

214. A letter from the Secretary of Labor, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

215. A letter from the Secretary, The American Battle Monuments Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C.

3512(c)(3); to the Committee on Government Reform and Oversight.

216. A letter from the Staff Director, U.S. Commission on Civil Rights, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

217. A letter from the Director, Administrative Office of the U.S. Courts; transmitting the Judicial Conference of the United States biennial report to the Congress on the continuing need for all authorized bankruptcy judgeships, pursuant to 28 U.S.C. 152(b)(3); to the Committee on the Judiciary.

218. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of additional program proposals for purposes of nonproliferation and disarmament fund activities, pursuant to 22 U.S.C. 5858; jointly, to the Committees on International Relations and Appropriations.

219. A letter from the Director, Office of Management and Budget, transmitting his certification that the amounts appropriated for the Board for International Broadcasting for grants to Radio Free Europe/Radio Liberty, Inc., are less than the amount necessary to maintain the budgeted level of operation because of exchange rate losses in the fourth quarter of fiscal year 1994, pursuant to 22 U.S.C. 2877(a)(2); jointly, to the Committees on International Relations and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MCCOLLUM:

H.R. 665. A bill to control crime by mandatory victim restitution; to the Committee on the Judiciary.

H.R. 666. A bill to control crime by exclusionary rule reform; to the Committee on the Judiciary.

H.R. 667. A bill to control crime by incarcerating violent criminals; to the Committee on the Judiciary.

H.R. 668. A bill to control crime by further streamlining deportation of criminal aliens; to the Committee on the Judiciary.

By Mr. BOEHNER:

H.R. 669. A bill to repeal the Perishable Agricultural Commodities Act, 1930; to the Committee on Agriculture.

By Mr. COLEMAN:

H.R. 670. A bill to waive certain statutory time limitations with respect to the award of military decorations in the case of the award of the Medal of Honor to Marcelino Serna; to the Committee on National Security.

By Mr. FALEOMAVAEGA (for himself, Mr. RICHARDSON, Mr. WILLIAMS, Mr. MILLER of California, and Mr. DEFazio):

H.R. 671. A bill to provide for administrative procedures to extend Federal recognition to certain Indian groups, and for other purposes; to the Committee on Resources.

By Mr. FIELDS of Texas:

H.R. 672. A bill to improve recreational boating safety; to the Committee on Transportation and Infrastructure.

By Mr. GALLEGLY:

H.R. 673. A bill to establish a national commission to review the regular military compensation of members of the Armed Forces and develop recommendations to end the dependence of some members and their families on Federal and local assistance programs; to the Committee on National Security.

By Mrs. MALONEY:

H.R. 674. A bill to provide that a spouse, former spouse, surviving spouse, or surviving former spouse may qualify for retirement, survivor, and health under the Foreign Service Act if the Foreign Service participant is disqualified for such benefits for reasons of misconduct or disloyalty to the United States; to the Committee on International Relations, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINETA (for himself and Ms. ESHOO):

H.R. 675. A bill to amend the Securities Exchange Act of 1934 to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the act; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 676. A bill to require the Secretary of the Interior and the Secretary of Agriculture to establish grazing fees at fair market value; to the Committee on Resources.

By Mr. NEAL of Massachusetts:

H.R. 677. A bill to amend the Internal Revenue Code of 1986 to repeal the special \$15 million limitation on the amount of a tax-exempt bond issue which may be used to provide an output facility; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 678. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed cancellations of budget items; to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself, Mr. PALLONE, Mr. ZIMMER, Mrs. ROUKEMA, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mr. MARTINI, and Mr. SMITH of New Jersey):

H.R. 679. A bill to amend the Federal Water Pollution Control Act to make Barnegat Bay, NJ, eligible for priority consideration under the national estuary program; to the Committee on Transportation and Infrastructure.

By Mr. SOLOMON (for himself and Mr. McNULTY):

H.R. 680. A bill to extend the time for construction of certain FERC licensed hydro projects; to the Committee on Commerce.

By Mr. TAUZIN (for himself, Mr. HALL of Texas, Mr. TOWNS, Mr. RUSH, and Mr. BROWN of Ohio):

H.R. 681. A bill to amend the Securities Exchange Act of 1934 in order to reform private enforcement of the Federal securities laws, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself and Mr. NEAL of Massachusetts):

H.R. 682. A bill to amend the Internal Revenue Code of 1986 to encourage savings and investment through individual retirement

accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 683. A bill to extend Federal restrictions on the export of unprocessed timber to timber harvested in the State of Texas; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 684. A bill to provide a minimum for payments with respect to counties in the State of Texas from receipts from national forests; to the Committee on Agriculture.

H.R. 685. A bill to prohibit exports of unprocessed timber and wood chips to any country that does not provide reciprocal access to its markets for finished wood products and paper produced in the United States; to the Committee on International Relations.

H.R. 686. A bill to amend title 28, United States Code, to provide for the use of volunteers for Federal Bureau of Investigation tours and at the Bureau's training facilities, and for other purposes; to the Committee on the Judiciary.

H.R. 687. A bill to designate the maintenance facility and future visitor center at the Big Thicket National Preserve as the "Ralph W. Yarborough Center"; to the Committee on Resources.

H.R. 688. A bill to require the Secretary of Agriculture to take action to control the infestation of southern pine beetles currently ravaging wilderness areas in the State of Texas; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 689. A bill to authorize the Secretary of Agriculture to convey certain lands in the Sam Houston National Forest in the State of Texas to the current occupant of the lands, the Gulf Coast Trades Center; to the Committee on Resources.

By Mr. ZIMMER.

H.R. 690. A bill to improve the use of risk assessment and cost-benefit analysis by Federal agencies; to the Committee on Government Reform and Oversight, and in addition to the Committees on Science, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS (for himself, Mr. KIM, and Mr. SOLOMON):

H. Con. Res. 19. Concurrent resolution expressing the sense of the Congress with re-

spect to North-South dialogue on the Korean Peninsula and the United States-North Korea Agreed Framework; to the Committee on International Relations.

By Mr. YATES:

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the days of remembrance of victims of the Holocaust; to the Committee on House Oversight.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

[Omitted from the Record of January 23, 1995]

H.R. 5: Mr. MILLER of Florida.

[Submitted January 25, 1995]

H.R. 5: Mr. BUNN of Oregon and Mr. ROYCE.

H.R. 6: Mr. SAM JOHNSON, Mr. COLLINS of Georgia, Mrs. SEASTRAND, Mr. MCKEON, and Mr. POMBO.

H.R. 7: Mr. LUCAS, Mrs. VUCANOVICH, Mr. TALENT, Mr. BAKER of Louisiana, Mr. KING, and Mr. BROWNBACK.

H.R. 10: Mr. LONGLEY, Mr. ROBERTS, Mr. POMBO, Mr. SALMON, and Mr. GALLEGLY.

H.R. 24: Mr. FRELINGHUYSEN.

H.R. 28: Mr. LIGHTFOOT.

H.R. 44: Mr. BONIOR and Ms. ESHOO.

H.R. 58: Ms. DANNER.

H.R. 62: Mr. BLUTE, Mr. ENGLISH of Pennsylvania, Mrs. MEYERS of Kansas, Mr. FOX, Mrs. MYRICK, Mr. CHRISTENSEN, and Mr. ANDREWS.

H.R. 70: Mr. FIELDS of Texas and Mr. SOLOMON.

H.R. 76: Mr. VENTO and Mr. LIGHTFOOT.

H.R. 77: Mr. LATOURETTE and Mr. ZELIFF.

H.R. 130: Mr. SMITH of Texas.

H.R. 208: Mr. BARTLETT of Maryland.

H.R. 209: Mr. DOOLITTLE, Mr. KING, Mr. MCKEON, Mr. CHRYSLER, and Mr. HAYWORTH.

H.R. 216: Mr. CHRISTENSEN.

H.R. 218: Mr. BILBRAY and Mr. MCKEON.

H.R. 326: Mr. EWING, Mr. LIPINSKI, and Mr. ZELIFF.

H.R. 370: Mr. LIPINSKI, Mr. MCCRERY, Mr. ALLARD, Mr. BACHUS, Mr. ISTOOK, Mr. METCALF, Mr. ZELIFF, Mr. BOEHNER, Mr. ARMEY, Mr. HOUGHTON, Mr. CHRISTENSEN, Mr. LARGENT, Mr. FORBES, Mr. KIM, Mr. ROGERS, Mr. KING, Mr. LONGLEY, Mr. DICKEY, and Mr. GOODLATTE.

H.R. 390: Mr. BARCIA of Michigan, Mr. SCOTT, Mr. PACKARD, Mr. LAZIO of New York, Mr. FALCONA, Mr. GUTIERREZ, Mr. BALLENGER, Mr. SANDERS, Mr. HALL of Ohio, Mr. CRANE, Mr. MCKEON, Mr. PORTMAN, Mr. ROGERS, Mr. COLLINS of Georgia, Mr. DURBIN, Ms. VELÁZQUEZ, Mr. PETE GEREN of Texas, Mr. RANGEL, Mr. BECERRA, Ms. WOOLSEY, Mr.

ARMEY, Mrs. SMITH of Washington, Mr. TATE, Mr. LEWIS of Kentucky, Mr. REGULA, Mr. LATOURETTE, Mr. SAWYER, Mr. JOHNSON of South Dakota, Mr. FILNER, Mr. KASICH, Mr. FRANKS of Connecticut, Mr. MYERS of Indiana, Mrs. MORELLA, Mr. STUMP, Mr. WALSH, Mr. POSHARD, Mrs. MALONEY, Mr. HYDE, Mr. SCARBOROUGH, Mr. MICA, Mr. DICKS, Mr. BUNNING of Kentucky, Mr. GEKAS, Mr. WELDON of Pennsylvania, Mr. SERRANO, Mr. DELLUMS, Mr. CLEMENT, Mr. GOODLING, Mr. FAWELL, Mr. BILIRAKIS, Mr. WATTS of Oklahoma, Mr. HANSEN, Mr. GONZALEZ, Mr. HALL of Texas, Mr. CHAPMAN, Mr. MCCOLLUM, Mr. GUNDERSON, Mr. DOOLEY, Mr. LUCAS, Mr. BAKER of Louisiana, Mr. WOLF, Mr. ROTH, Mr. REYNOLDS, Mr. SAM JOHNSON, Mr. RAMSTAD, Ms. DANNER, Mrs. FOWLER, Mr. LAFALCE, Mr. PAYNE of New Jersey, Mr. MOAKLEY, Mr. CUNNINGHAM, Mr. BROWN of California, Mrs. VUCANOVICH, Mr. FLAKE, Mr. CLAY, Mr. TUCKER, Mr. CHABOT, Mr. YOUNG of Florida, Mr. HERGER, Mr. DELAY, Mr. BALDACCI, Mr. HOKE, Mr. QUINN, Mr. SMITH of Michigan, Mr. CRAMER, Mr. LEWIS of Georgia, Mrs. MINK of Hawaii, Mr. GILCHREST, Mr. HINCHEY, Mr. EVANS, Mr. FAZIO of California, Mr. FARR, Mr. FATTAH, Mr. COMBEST, Mr. MANZULLO, Ms. HARMAN, Mrs. SEASTRAND, Mr. GORDON, Mr. FOGLIETTA, Mr. BONIOR, Ms. KAPTUR, Mr. JACOBS, Mr. DE LA GARZA, Mr. DREIER, Mr. BILBRAY, Mr. STOKES, Mr. EVERETT, Mr. KIM, Mr. HOUGHTON, Mr. THORNTON, Mr. MANTON, Mr. MEEHAN, Mr. BREWSTER, Mr. MCCRERY, Mr. JEFFERSON, Mr. SKELTON, Mrs. CUBIN, Mr. STOCKMAN, Mr. MILLER of Florida, Mr. BLUTE, and Mr. FIELDS of Texas.

H.R. 464: Mr. LIGHTFOOT and Mr. CHRISTENSEN.

H.R. 502: Mr. GENE GREEN of Texas, Mr. SMITH of New Jersey, and Mr. COBURN.

H.R. 593: Mr. ANDREWS.

H.R. 663: Mr. CUNNINGHAM and Mr. NEY.

H.J. Res. 8: Mr. INGLIS of South Carolina.

H.J. Res. 28: Mr. LUTHER and Mr. WELLER.

H. Con. Res. 5: Mr. LIGHTFOOT, Mr. PACKARD, Mr. MOORHEAD, Mr. CRAPO, and Mrs. CHENOWETH.

H. Con. Res. 12: Mr. ORTIZ.

H. Con. Res. 17: Mr. WHITFIELD, Mr. BURR, and Mr. SMITH of New Jersey.

H. Res. 30: Mr. DANNER, Mr. WISE, Mr. MORAN, Mr. SANDERS, Mr. SHAYS, Mr. UNDERWOOD, Mr. TAYLOR of North Carolina, Mr. ROEMER, Mr. RICHARDSON, Mr. SMITH of New Jersey, Mr. BONO, Mr. WAXMAN, Mr. McNULTY, Mr. VENTO, Mrs. MYRICK, Mr. WALSH, Mr. CONYERS, Mr. FROST, Mr. LEWIS of California, Mr. FARR, Mr. BROWN of California, Mr. BARRETT of Wisconsin, Mr. GENE GREEN of Texas, Mr. GOSS, Mr. FIELDS of Texas, Mr. DEUTSCH, Mr. KNOLLENBERG, Mr. DELLUMS, Mr. ROGERS, and Mr. CALLAHAN.

H. Res. 33: Mr. GENE GREEN of Texas and Mr. HINCHEY.